

# **Engaging the Borderlands: Options for the Future of U.S.-Mexican Relations**

**A Monograph  
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## **Abstract**

ENGAGING THE BORDERLANDS: OPTIONS FOR THE FUTURE OF U.S.-MEXICAN RELATIONS by MAJ Matthew M. Brown, U.S. Army, 65 pages.

The security of the U.S.-Mexican border is an issue of considerable interest for both countries. The North American Free Trade Agreement has created a web of symbiotic links between the two countries. Unfortunately, this has also presented opportunities for illegal transit. These opportunities are increasingly exploited by Mexican Drug Trafficking Organizations (DTO) whose actions are destabilizing Mexico and increasingly penetrating into the United States. Increasing levels of violence, intimidation, and influence have rapidly become intolerable, demanding a government response. While widespread use of the U.S. military remains an option, the costs both economic and operational, make the use an unviable one. Rather a mixed approach of U.S. and Mexican capacity building and economic assistance is a preferred alternative. The increased capacity of U.S. and Mexican security and law enforcement organizations will over time disrupt, then dismantle the Mexican DTOs. Simultaneously, economic assistance aimed at developing impoverished Mexican regions will both legitimize the Mexican government while marginalizing the influx of narco-dollars. This combined approach provides stability to the region, increases cooperation between neighboring governments, and fosters further legitimate economic growth in the region.

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## Introduction

Often referred to as the United States' "soft underbelly," the U.S.-Mexican border area is an at times unchecked access point into the heart of U.S. domestic soil. An area of multiple, redundant problems, the southwestern border frequently finds itself in the in the living rooms and computer monitors across the United States in daily headlines and news reports.<sup>1</sup> Although the focus of the southwest border region shifts depending on the political news story of the week, concerns are valid, varied, and numerous. In addition to legal trade and transit, the southwest border is also an entry point for illegal immigrants seeking opportunities. More ominously, the porousness of the southwestern border has attracted and been exploited by Mexican based drug trafficking organizations (DTOs) seeking to both move product north into the United States while simultaneously coordinating returning southbound shipments of money and weapons. The lucrative nature of these trafficking corridors has made both sides of the southwest border region strategic territory for competing DTOs, the Mexican Government and increasingly, the U.S. Government. Increasingly, U.S. citizens and interests are threatened by this criminal activity and related violence. With near daily news reports of violence along the border and growing awareness and unease of local citizens, issues related to this region are a vital and growing area of national security and political concern. These concerns are further compounded by the perception in (some of) the U.S. that the Mexican Government lacks the ability or will to control wide

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<sup>1</sup> Some recent examples of news related news articles are: Ben Conery and Jerry Seper, "Border Violence Threatens Americans," *Washington Times*, April 1, 2010. <http://washingtontimes/news/2010/apr/01/violent-mexican-drug-gangs-pose-risk-to-ame/> (accessed November 12, 2010). Randal C. Archibald, "On Border Violence, Truth Pales Compared To Ideas," *The New York Times*, June 19 2010. <http://www.nytimes.com/2010/06/20/us/20crime.html> (accessed November 12, 2010). Kevin Vaughn, "Mexican Cartels and Ensuing Violence Leave Mark on Texas Border Town," *The Denver Post*, October 10, 2010. [http://www.denverpost.com/news/ci\\_16300367](http://www.denverpost.com/news/ci_16300367) (accessed November 12, 2010). Hilary Hylton, "The "Border Pirates" Case Barges Into Texas Politics," *TIME*, October 7, 2010. <http://www.time.com/time/nation/article/0,8599,2024162,00.html> (accessed November 12, 2010). Jerry Markon, "Judge Questions Justice Department's Lawsuit Against Arizona Immigration Law," *The Washington Post*, November 1, 2010. <http://www.washingtonpost.com/wp-dyn/content/article/2010/11/01/AR2010110104018.html> (accessed November 12, 2010).

swaths of terrain adjacent to our shared border. This monograph explores the appropriate role of the U.S. Government in improving capacity on both sides of the border in order to mitigate the region's problems.

While the U.S. side experiences nowhere near the level of violence of the Mexican side, instances like the closing of portions of the Buenos Aires National Wildlife Refuge in southern Arizona due to violence and trafficking fuels growing anxiety that parts of the border region are in danger of becoming a “no-go zone” controlled by drug and human traffickers.<sup>2</sup> As the situation becomes less and less tenable on both sides of the border, it has become apparent to the public, local, and state governments that the current U.S. security apparatus in the region is neither manned nor equipped to successfully secure our borders or control the violence. This security deficiency is being exploited by criminal and possibly terrorist actors. The escalation of violence and illegal activity along the border has outpaced the abilities and resources of local law enforcement personnel that are the backstop to border operations.

As a result, regional outcry continues to increase, with growing pressure for a federal response. In particular, these calls on the federal government emphasize the need for a U.S. military presence. Given the U.S. military's capabilities, it is not surprising that many believe that the military can effectively both seal the border, while its firepower, more than matches that of the DTOs, quelling the violence. This proposed solution has gained traction in both the affected region's government, and by recent actions, some facets of the federal government, specifically President Obama's deployment of 1,200 National Guard Soldiers.<sup>3</sup> Yet while the military is an attractive option due its capabilities and responsiveness, it is neither the most effective or efficient

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<sup>2</sup> Robert Haddick, “This Week At War: If Mexico is at War, Does America Have to Win It?,” *Foreign Policy* (September/October 2010), under [http://www.foreignpolicy.com/articles/2010/09/10/this\\_week\\_at\\_war\\_if\\_mexico\\_is\\_at\\_war\\_does\\_america\\_have\\_to\\_win\\_it?page=0.0](http://www.foreignpolicy.com/articles/2010/09/10/this_week_at_war_if_mexico_is_at_war_does_america_have_to_win_it?page=0.0) (accessed September 11<sup>th</sup>, 2010).

<sup>3</sup> “2010 National Guard Deployments to the Southwest Border,” National Immigration Forum, [http://www.immigrationforum.org/images/uploads/2010/National\\_Guard-Border\\_Fact\\_Sheet-2010.pdf](http://www.immigrationforum.org/images/uploads/2010/National_Guard-Border_Fact_Sheet-2010.pdf) (accessed October 30, 2010).

solution for the problem. The utility of the U.S. military in the theater is limited by ongoing overseas operations, legal restrictions in the form of Posse Comitatus and other legislation, and potential negative Mexican political responses. All these factors limit military operations along the border under present conditions.<sup>4</sup> Despite past military interventions, most notably Pershing's Punitive Expedition during the Mexican Civil War, contemporary employment of the military along the southwest border would have significant operational, legal and diplomatic fallout. Most importantly, deployment of the military is at best a temporary solution. While it may assist in deterring illegal activity it does nothing to change the root conditions that are the both impetus and fuel for illegal activity and subsequently spawned violence.

The solution instead lies with a capacity building approach of both U.S. and Mexican capability, beginning with increased manning and integration of U.S. interagency efforts to be closely paired with increasing efforts to do the same with the Mexican government. This should consist not only of combined efforts to attack criminal organizations and activities, but physically and procedurally reduce the porous nature of the border itself. In addition to security efforts, there must be a social and economic initiative on the part of the Mexican government, reinforced by U.S. aid, to provide fiscal and economic opportunities to impoverished populations who work for and provide support to DTOs out of economic necessity. Such increased capacity building will not only defeat DTOs, their influence and regional control, but also contribute to increased long-term governmental stability that provides safety to citizens on both sides of the border. This in turn would contribute to conditions that facilitate increased, sustained and peaceful economic interaction between the U.S and Mexico.

A number of U.S. initiatives are already under way. Some of the key initiatives include, the Office of National Drug Control Policy's National Southwest Border Counter Narcotics Strategy,

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<sup>4</sup> While JTF North does have ongoing operations along the border, they are primarily passive in Nature. Jerome Corsi, "U.S. Military Fights Drug War On Mexican Border," *WorldNetDaily*, <http://www.wnd.com/?pageId=67495> (accessed September 15, 2010).



the Department of Homeland Security's Secure Border Initiative, and the ATF's Operation Gunrunner. While not a large or offensive presence, the U.S. military has the standing Joint Task Force North assisting with support to law enforcement agencies and facilitates interagency cooperation. Perhaps most importantly is the Merida Initiative, providing capacity-building support to Mexico. The respective roles of these initiatives are explored below.

The body of this monograph consists of five sections. The first section explores past activities of the U.S. military on the U.S.-Mexican border. While this section captures details of executed operations and respective successes, it also highlights limitations and restrictions on the use and effectiveness of a military employment option. The second section examines the recent history and current state of the border region. It explores the demographic and economic linkages of the U.S. and Mexican populations, highlighting the post NAFTA prevalence of Mexican labor, especially along the border and its impact on the economies of both nations. The third section outlines the darker side of the border in the form of drug trafficking organizations (DTOs) and their increasing levels of violence. The remaining two sections explore the Mexican and U.S. actions to control illegal activity and violence along the border. The Mexican efforts highlight the Calderon administration's declared war on drugs.<sup>5</sup> The section will detail not only the employment of federal law enforcement and military forces, but also the struggles to remove the climate of DTO fueled corruption in the government. While this section highlights actions taken, it also explores gaps in their approach that would prevent a long-term solution. The chief area of concern is a lack of methodology targeted at eroding local and popular support garnered from the financial opportunities provided by DTOs. The final section, "U.S. Initiatives," explores past and current non-military approaches employed by various U.S. federal agencies towards border

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<sup>5</sup> Harvard educated Felipe Calderon Hinojosa was elected president in one of Mexico's closest elections in 2006 for the 2006-2012 term on the National Action Party (PAN) ticket. "Presidencia de la Republica de Mexico," presidencia.gob.mx. <http://www.presidencia.gob.mx/en/felipecalderon/> (accessed October 12, 2010).

security.<sup>6</sup> This section highlights foreign assistance granted to Mexico, specifically the Merida Initiative. It explores how these efforts can not only increase the Mexican capability to combat the DTOs, but also strengthen its overall long term stability and facilitate greater economic opportunities for both nations. A concluding section summarizes the findings and highlight that a multi-faceted, interagency approach in conjunction with parallel Mexican efforts will reduce border violence and establish conditions for long term stability.

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<sup>6</sup> While there are state and local initiatives, they are beyond the scope of the monograph, focusing instead on the federal government's problem and response options.

## Historical U.S. Border Actions

In the first hundred years after Mexico gained its independence from Spain, U.S.-Mexican relations fluctuated between periods of indifference and conflict. On three occasions, the borderlands between the two countries were contested with military force (Texas War of Independence, Mexican-American War, and Pershing's Punitive Expedition). While many are familiar with the Mexican-American War and the Pershing Expedition, the United States has also been concerned with lower level threats concerning Mexico that include Apache Indian raids, the Plan of San Diego, and today's current DTO based threats.<sup>7</sup>

Many of these historical issues remain in some fashion today. Rival factions competing for control, illicit trade, government instability (or lack of presence) and associated violence remain recurring themes. While the size of the border remains the same, the exponentially larger population and disparate economic conditions of the twenty-first century make the scale and reach of the border issues into U.S. society a very real and pressing matter to our government officials. Well before the establishment of any federal border patrol or law enforcement, there are precedents for military actions in the name of national security, most notably the Pershing Punitive Expedition. Like today's environment, military application came with political limitations and repercussions both foreign and domestic.

With the exception of the Mexican-American War, the most tense years along the border were 1911-1921.<sup>8</sup> After the outbreak of the Mexican Civil War in 1911, there were numerous

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<sup>7</sup> The Plan of San Diego was a plan involving conspirators in both the U.S. and Mexico fueled by Mexican nationalism to gain independence for the former Mexican holdings of Texas, New Mexico, Arizona, Colorado, and parts of California. For recent overviews of the U.S. military on the Mexican border see Matt Matthews, *The U.S. Army on the Mexican Border: A Historical Perspective* (Ft. Leavenworth: Combat Studies Institute Press, 2007); and Thomas Bruscino, "A Troubled Past: The Army and Security on the Mexican Border, 1915-1917," *Military Review* (July-August, 2008) 32-38.

<sup>8</sup> For further study of the Mexican Civil War and the Pershing Punitive Expedition, see Robert E. Quirk, *The Mexican Revolution, 1914-1915* (New York: W.W. Norton & Company Inc., 1960) ; John S. D. Eisenhower, *Intervention! The United States and The Mexican Revolution, 1913-1917* (New York: W.W. Norton & Company, 1993) ; James W. Hurst, *Pancho Villa and Black Jack Pershing, The Punitive*

incursions and violence along the border in the decade that followed due to the large portion of fighting taking place in northern Mexico.<sup>9</sup> Places of concern today such as Brownsville-Matamoros and El Paso-Ciudad Juarez were often involved in military incidents.<sup>10</sup> Like today's illicit arms and narcotics trade, these border towns and others like them were ports of entry for arms and provided customs revenue for the government.

In addition, much like today's struggles between competing DTOs and government forces, the period of the Mexican Civil War saw armed clashes and raids along our border between various factions struggling for power. Violence from rebel attacks on border towns at times spilled over into neighboring U.S. towns, killing and wounding civilians.<sup>11</sup> Initially border violence was unintentional collateral damage in the form of errant shells and rounds, and incursions were more often than not limited to the tactical maneuverings of one faction against another.<sup>12</sup>

U.S. concerns grew shortly after the Treaty of Ciudad Juarez in May of 1911, which saw the abdication of dictator Porfirio Diaz and resulting power struggles. U.S. Ambassador Henry Lane Wilson, seeing the fractious nature and opposition of the new government, warned President William Howard Taft that the safety of Americans inside Mexico might be endangered. President Taft's initial U.S. response was the formation of the Maneuver Division in 1911 headquartered at San Antonio, TX, which would consist of 20,000 troops stationed along the Mexican border to act primarily as a deterrent towards the different Mexican factions. Although allowed to fire across

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*Expedition in Mexico* (Westport: Praeger Publishers, 2008) ; and Major General John J. Pershing, "Report of the Punitive Expedition" (1916), [http://www.cgsc.edu/carl/docrepository/punitive\\_expedition\\_mexico1916.pdf](http://www.cgsc.edu/carl/docrepository/punitive_expedition_mexico1916.pdf) (accessed August 15, 2010).

<sup>9</sup> Benjamin R. Beede, ed., *The War of 1898 and U.S. Interventions 1898-1934: An Encyclopedia* (New York & London: Garland Publishing, INC., 1994), 322.

<sup>10</sup> John S. D., Eisenhower, *Intervention! The United States and The Mexican Revolution, 1913-1917* (New York: W.W. Norton & Company, 1993)187.

<sup>11</sup> Beede, *The War of 1898 and U.S. Interventions 1898-1934: An Encyclopedia*, 322.

<sup>12</sup> *Ibid.*, 323.

the border to protect U.S. lives and property, they had no authorization to cross the border without prior approval from Washington.<sup>13</sup>

Although President Taft and later President Woodrow Wilson initially asserted non-interventionist stances, instability continued to grow as rival Mexican factions began to mobilize.<sup>14</sup> A first escalation occurred in April 1914 with the U.S. seizure and occupation of the Port of Vera Cruz in retaliation to the detention of U.S. sailors on a supply mission. This action while denying munitions to an unfriendly regime, was viewed by future Mexican leader Venustiano Carranza as a violation of Mexico's rights as a free and independent sovereign nation, complicating future conditions between Carranza's and the U.S. governments.<sup>15</sup>

As the situation degenerated in Mexico, beginning with the rise of Carranza and subsequent opposition by Francisco "Pancho" Villa and his forces, tensions again heightened along the border. Believing he was a viable candidate for U.S. support, Villa grew disenfranchised with their endorsement of Carranza. This lack of support led Villa to initially raid for supplies and purchase munitions in the border region. As Villa grew further disillusioned by the lack of U.S. support, he attacked and executed 16 U.S. miners at Santa Ysabel, Chihuahua in January 1916, placing political pressure on President Wilson to use military force.<sup>16</sup> President Wilson, much like contemporary U.S. leaders, initially resisted the temptation to employ U.S. forces. Instead, Wilson pressed Carranza, emphasizing the importance of his government's obligations to ensure

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<sup>13</sup> Beede, *The War of 1898 and U.S. Interventions 1898-1934: An Encyclopedia*, 323.

<sup>14</sup> It should be pointed out that President Wilson's early foreign policy objectives are debated amongst scholars. Some standard Wilson scholars are Lloyd Ambrosious, Arthur Link, and John Milton Cooper Jr.

<sup>15</sup> A detailed narration of the Veracruz incident and occupation can be found in Robert E. Quirk, *An Affair of Honor Woodrow Wilson and the Occupation of Veracruz* (New York: W.W. Norton & Company Inc., 1962).

<sup>16</sup> Villa looked for U.S. support against Carranza. Mark Mulcahey, "The Overlooked Success: A reconsideration of the U.S. Military Interventions in Mexico During the Wilson Presidency," in *Defending the Homeland: Historical Perspectives On Radicalism, Terrorism, and State Responses*, ed. Melinda M. Hicks and C. Belmont Keeney (Morgantown: West Virginia University Press, 2007), 67.

the safety of U.S. nationals. Carranza pronounced Villa an outlaw, preventing U.S. intervention, but failed to commit resources towards his capture.<sup>17</sup> Concerned with the growing violence, President Wilson's senior military commanders projected, based on an Army War College study, that the pacification of the region would take 557,280 men three years and require a partial occupation of Mexico. This level and scale of operation was an unsuitable course of action for President Wilson.<sup>18</sup> Nonetheless, Villa's raid on Columbus, New Mexico on March 9<sup>th</sup>, 1916 which resulted in 15 U.S. deaths led Wilson to approve a more limited military intervention. Intervention came in the form of the Pershing Punitive Expedition, eventually consisting of 10,000 Soldiers charged with capturing Villa.<sup>19</sup>

The Pershing Expedition faced a number of challenges, including harsh terrain, an elusive enemy, and challenging political difficulties. Spurred by domestic cries for action from his Generals and Cabinet, Wilson had to consider the probability of entrance into World War One, and the more immediate impact of potential war between the U.S. and Mexico.<sup>20</sup> This proved to be true, based on a March 12, 1916 statement by Carranza in which he said any American Troops entering Mexico would be resented and a violation of Mexican sovereignty and an act of war.<sup>21</sup> While no formal declarations were made, U.S. forces were engaged by Carranza's forces on April 1916 at Parral, and again in June at Carrizal.<sup>22</sup> Though twelve U.S. Soldiers were killed in these engagements, Pershing was forbidden from sending out patrols. The potential for a larger conflict eventually led to an agreement between Wilson and Carranza that eventually led to the

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<sup>17</sup> Mulcahey, "The Overlooked Success: A reconsideration of the U.S. Military Interventions in Mexico During the Wilson Presidency," 67.

<sup>18</sup> Ibid., 70.

<sup>19</sup> Ibid., 71.

<sup>20</sup> Ibid., 70-71.

<sup>21</sup> James W. Hurst, *Pancho Villa and Black Jack Pershing, The Punitive Expedition in Mexico* (Westport: Praeger Publishers, 2008), 42.

<sup>22</sup> Ibid., 76-77, 89-100.

withdrawal of the Pershing Expedition in February 1917. Subsequent U.S. responses were limited to “Hot Pursuit,” defined as 3 days and 60 miles.<sup>23</sup> While the Pershing Punitive Expedition did kill many of Villa’s top lieutenants, raids by Villa’s forces and other bandits continued through the remainder of the decade, with small-scale punitive expeditions occurring until August of 1919, marginalizing the value of the effort.<sup>24</sup>

## Plan Green

Following World War I, the United States found itself in a secure geostrategic position with no nations in the western hemisphere bearing the capability or intention of challenging U.S. interests by force of arms.<sup>25</sup> While a war in the near future was not likely, the military was still obligated in planning for the defense of the nation, its possessions, and interests.<sup>26</sup> With a major U.S. intervention in Mexico still in the recent memory of the nation’s military leaders with intermittent pursuits still occurring as late as 1919, War Plan Green was developed to deal with a multitude of situations ranging in threats to the southern border to the establishment of a hostile government in Mexico City.<sup>27</sup> Green was revised in 1922, 1927, 1930, and 1936. It outlined potential U.S. actions that ranged from border security to a full-scale invasion of Mexico. Although the plans did increase in detail with each revision, the basic premise remained the same, beginning as sub-plans Green.1, Green.2, and Green.3; and maturing into War Plan Green Phase 1, Phase 2, and Phase 3. These sub-plans escalated in scale and scope of the operations increasing

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<sup>23</sup> Although Britain and Japan could challenge U.S. interests locally in the Atlantic and the Pacific if they so chose. Beede, *The War of 1898 and U.S. Interventions 1898-1934: An Encyclopedia*, 324-325.

<sup>24</sup> Ibid., 325.

<sup>25</sup> Steven T. Ross, ed., *Peacetime War Plans, 1919-1935* (New York: Garland Publishing Inc., 1992), ix. ; while the last reference is from a collection of primary sources, see also Steven T. Ross, *American War Plans, 1890-1939* (London: Routledge, 2004).

<sup>26</sup> Ross, *Peacetime War Plans, 1919-1935*, ix.

<sup>27</sup> Beede, *The War of 1898 and U.S. Interventions 1898-1934: An Encyclopedia*, 325.

correspondingly with the numbers. The assigned Mission for the Army in the most mature revision of 1930 was:

To protect the border of the UNITED STATES adjoining GREEN; to afford such protection as the situation permits to the lives and property of UNITED STATES citizens and other foreign nationals in GREEN; when the situation warrants, jointly with the Navy to seize out and occupy certain GREEN seaports; and as a last resort, to conduct further operations in GREEN for the purpose of occupying MEXICO City and such other parts of GREEN territory as may be necessary.<sup>28</sup>

The phases of the plan were both escalatory and cumulative in nature, beginning with general security and ending in seizure of Mexico City and implementation of a military government. Foreshadowing today's concerns, the two tasks common to all phases were the protection of the southern border of the U.S., and interception of munitions of war destined for Green. Further building on the security function is the first specified task in Phase I directing:

Protection of the lives and property of UNITED STATES-GREEN border and adjacent thereto in GREEN, to include removal, if circumstances warrant, of these citizens and nationals, to UNITED STATES territory. Operations in GREEN territory for the above purposes will made only upon authorization of the president.<sup>29</sup>

The remainder of the Tasks in Phases I-III deal with projection of forces, and offensive action aimed at seizing key ports, oil fields and ultimately if need be, the capital.<sup>30</sup>

While the GREEN planners acknowledged that they could not predict with certainty conditions that would require initiation of GREEN, they did assess that the most probable situation would begin with minor disturbances along the shared border, which could potentially escalate into incursions into U.S. territory by lawless GREEN or Mexican bands. There is also the assumption that the existence of such conditions would indicate that the Mexican government

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<sup>28</sup> Ross, *Peacetime War Plans, 1919-1935*, 173.

<sup>29</sup> Ibid.

<sup>30</sup> Ibid.



would be either unwilling or incapable of controlling or stopping these bands.<sup>31</sup> Both instances remarkably parallel both the struggles of the current Mexican government's inability to control parts of DTO influenced northern Mexico today, and the associated spillover of violence.<sup>32</sup>

Another parallel worth noting is the specified task of interdicting shipments of munitions to hostile factions, foreshadowing today's efforts of combating DTO weapons trafficking methods of Ant Runs and Iron River, highlighted in a later section.

## **Modern Era**

Although problems along the Southwest Border are enduring, the threat of escalation and conflict potential between the two nations has receded. The prosperity of one nation has become mutually beneficial to the other. Subsequently border region issues now largely affect both nations and require collaboration between the two. This collaboration and norming of relations have facilitated a largely demilitarized border since the end of World War II. With a few exceptions, military activity along the border is nearly nonexistent, almost exclusively relegated to support or training as opposed to a defensive posture.

Regardless of the posture and presence, the Posse Comitatus Act has limited modern military employment on the border. Originally passed in 1878 in response to alleged Army abuses in the South during Reconstruction, Posse Comitatus prohibits the use of military personnel for law enforcement duty.<sup>33</sup> Circumstances like the Insurrection Act allow the President to use military personnel to enforce federal laws in the event of an insurrection or rebellion, but are rare

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<sup>31</sup> Ross, *Peacetime War Plans, 1919-1935*, 170.

<sup>33</sup> For a brief overview on the Posse Comitatus Act see Matt Matthews, *The Posse Comitatus Act and the United States Army: A Historical Perspective* (Ft. Leavenworth: Combat Studies Institute Press, 2006), 30-34. U.S. Northern Command, "About U.S. NORTHCOM: History", [http://www.northcom.mil/about/history\\_education/posse.html](http://www.northcom.mil/about/history_education/posse.html) (accessed September 10, 2010).

in nature and practice. Today, U.S. Northern Command official webpage states that the Posse Comitatus act as “generally prohibiting U.S. military personnel from direct participation in law enforcement activities.....including interdicting vehicles, vessels, and aircraft; conducting surveillance, searches, pursuits and seizures; or making arrests on behalf of civilian law enforcement authorities.”<sup>34</sup>

A reduced U.S. posture is not however connotative to a nonexistent posture. The growth of the Latin American Based drug trade and its impacts on society beginning in the 1970s and continuing through today have warranted military uses beginning in 1971 with President Richard Nixon’s focus on combating drug use, and virtually guarantee a continuing presence in the border region.<sup>35</sup> Initially providing equipment not possessed by law enforcement personnel, to include naval support, aerial surveillance and shared use of radars, the Department of Defense (DOD) increasingly loaned aircraft, provided aircraft flight hours and provided equipment in support of counter drug operations. This support varied between detection by radar and surveillance aircraft, pursuit and detainment by combat aircraft and helicopters. Restrictions imposed by Posse Comitatus, required aircraft to include a sufficient law enforcement force to conduct an actual arrest. Successes and increasing awareness of assets spurred total law enforcement requests for DOD support, which increased from 156 between 1971 and 1981 to 9,831 requests in 1984 alone.<sup>36</sup>

Increasing awareness by law enforcement officials and government officials of the vulnerability of the border fueled debates within Congress regarding increased use of DOD assets

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<sup>34</sup> U.S. Northern Command, “About U.S. NORTHCOM: History”, [http://www.northcom.mil/about/history\\_education/posse.html](http://www.northcom.mil/about/history_education/posse.html) (accessed September 10, 2010).

<sup>35</sup> The term “War on Drugs” first entered the U.S. lexicon in an address to the press and later congress by President Richard Nixon June 17, 1971. Ted Galen, *Bad Neighbor Policy* (New York: Palgrave Macmillan, 2003), 11.

<sup>36</sup> Peter Reuter, Gordon Crawford and Jonathan Cave, *Sealing the Borders The Effects of Increased Military Participation in Drug Interdiction* (Santa Monica: The RAND Corporation, 1988), 54.

in border security and counter drug operations. In 1988, lawmakers went so far as to suggest that the DOD was the “only federal agency with sufficient clout and resources to turn the tide against the drug problem.”<sup>37</sup> While complimentary to the services that statement did not take into consideration the impacts on readiness and distraction from their primary missions or the resources required. A DOD study at the time determined sealing the U.S. borders from drug smuggling planes and boats would require 90 infantry battalions, 50 helicopter companies, 50,000 ground support personnel for the ground forces alone, not to mention 150 aircraft and 150 naval cruisers.<sup>38</sup> The ground effort alone would require constant employment of nearly all of today’s active Army component. Further supporting DOD concerns was a 1988 Rand Study concluding that “the DOD remains a support agency rather than a primary interdiction agency,”<sup>39</sup> and that “there is some conflict between the primary military mission and drug interdiction.”<sup>40</sup> Rand’s claim was further supported by the limitations posed by Posse Comitatus. However, if Americans come to see this as a true war on drugs, it would complicate the situation. Their tolerances for employment of the military power in the name of drug enforcement may change.

While this debate did not result in a large scale shifting of DOD priorities to the border, the debate did provide fuel for newly elected President George H.W. Bush’s “declaration of the War On Drugs.” In response, then Chairman of the Joint Chiefs of Staff General Colin Powell ordered the creation of Joint Task Force 6 (JTF-6).<sup>41</sup> Its function was to “serve as the planning and coordinating operational headquarters to support local, state and federal law enforcement

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<sup>37</sup> James Longo, “Military in Drug War: Tempers Rise During Face Off Over Initiatives,” *Army Times*, May 23, 1988.

<sup>38</sup> Ibid.

<sup>39</sup> Reuter, Crawford and Cave, *Sealing the Borders The Effects of Increased Military Participation in Drug Interdiction*, 127.

<sup>40</sup> Ibid., 128.

<sup>41</sup> Joint Task Force North, “History of Joint Task Force North.” <http://www.jtfn.northcom.mil/subpages/history.html> (Accessed September 10, 2010).

agencies within the Southwest border region to counter the flow of illegal drugs into the United States.”<sup>42</sup> Transforming to Joint Task Force North in 2004, the Task Force’s mission was expanded to provide homeland security support to federal law enforcement organizations. While an enduring organization, both JTF 6 and later North, initially relied primarily on active and reserve component units who volunteered to merge training with the actual missions as required. Methods have shifted in recent years using a greater focus on technology and sensors in an attempt to both reduce manpower requirements and conduct more effective border detection, focus has also shifted from the border itself to the approaches to the border in an effort to interdict using partner nations before threats can enter the U.S.<sup>43</sup>

Despite the enduring presence of JTF-North and law enforcement, upspikes in border violence has led on at least two occasions led to limited scale military deployments to the border. The first deployment, Operation Jumpstart, ran from 2006 to 2008, the second and most recent deployment is an ongoing operation involving 1,200 National Guard soldiers. It began in July 2010. Both deployments were initiated after numerous demands from border state governors, citing violence and illegal crossings that overwhelmed and exceeded existing capabilities. In both instances, forces were not authorized to arrest or detain, only observe and report to law enforcement personnel and in some cases construct or repair barriers and associated infrastructure. Employments and rules of engagement varied based on the Memorandum of Understanding with the supported state, but again were limited by Posse Comitatus.<sup>44</sup>

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<sup>42</sup> Joint Task Force North, “History of Joint Task Force North.” <http://www.jtfn.northcom.mil/subpages/history.html> (Accessed September 10, 2010).

<sup>43</sup> Joint Task Force North, “Homeland Security Support.” [http://www.jtfn.northcom.mil/subpages/homeland\\_s.html](http://www.jtfn.northcom.mil/subpages/homeland_s.html) (Accessed September 10, 2010).

<sup>44</sup> A good summary of both 2006’s Operation Jump Start and the more recent 2010 deployment can be found at Casey Stegall, “America’s Third War: National Guard’s New Mission,” FoxNews.com, <http://www.foxnews.com/us/2010/11/15/americas-war-national-guards-new-mission/?test=latestnews> (accessed November 15, 2010). Full details of the National Guard Deployments, their tasks and limitations can be found in For Official Use Only documents from approved government websites.

Although there is a history of military employment along the Southwest Border that ranges from a limited invasion to surveillance, past uses have not achieved all their desired effects, nor will future employment. Pershing's Punitive Expedition, the largest effort short of war the Mexican-American War, not only failed to achieve its primary goal of capturing Villa, but also nearly escalated border banditry to a full-scale war between the two nations. While diplomatic relationships with Mexico are congenial today, a long-term military presence is bound to make Mexican officials wary of U.S. intentions and potentially risks undermining their sovereignty. Long-term use of these military assets in the passive manner required by law and diplomacy also run the risk of atrophying critical military skills by diverting military units from the Army's training cycle. Perhaps the greatest risk is a potential escalation of force when not necessary, resulting in an unwarranted death that erodes domestic support while simultaneously earning the condemnation of Mexico and the international community. Ted Carpenter remarks in his book *Bad Neighbor Policy*, "Most Americans still seemed wary about involving the military-especially in the domestic phase of the war on drugs. Critics point out that military forces are trained to seek out and destroy an enemy in wartime: they are not trained in the nuances of law enforcement, much less the subtleties of constitutional law."<sup>45</sup> While the U.S. Soldier is flexible as demonstrated by recent shifts between counterinsurgency and major combat operations in the Middle East, one could argue it is less than prudent to place law enforcement, yet another operational shift, on an already stretched force.

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<sup>45</sup> Galen, *Bad Neighbor Policy*, 35.

## The Post NAFTA Borderland

This chapter explores the contours of the modern-day borderland that has emerged on the U.S.-Mexican border in recent decades. In contrast to the examples of conflict examined in the previous chapter, this section highlights the interrelations of the growing interconnectedness of the two countries.

Borderlands are often complex zones of human interaction, and the U.S.-Mexican border region is no exception.<sup>46</sup> Although not nearly as long as the U.S.-Canadian Border (often referred to as the longest unprotected border in the world), the U.S. southwest border with Mexico is still enormous in size, recognized as the ninth longest border in the world and fourth largest in the Americas at 3,141 kilometers.<sup>47</sup> The border varies from deserts to rugged mountains, to the Rio Grande and Colorado Rivers. It is inhabited by actors ranging from migrant workers to criminals to corporations to governments that have interlinked themselves in variety of symbiotic and parasitic relationships. While images of extreme poverty are often associated with the region, it has also experienced growth and increasing urbanization as people from both countries move there for opportunities. Yet for every opportunity, there are elements looking to exploit them.

Like all borders, the U.S. southwest border was and remains a geographical representation of the boundaries and claims on territorial holdings and resources of both the U.S. and Mexico. Lawrence Herzog describes the traditional border as “International boundaries mainly served to

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<sup>46</sup> Sources for this section include a mix of sociological studies like Fernando Romero, *Hyper-Border The Contemporary U.S.-Mexican Border and Its Future* (New York: Princeton Architectural Press, 2008) ; Lawrence A. Herzog, ed., *Changing Boundaries in the Americas* (San Diego: Center for U.S.-Mexican Studies University of California, San Diego, 1992); political science studies from Peter Andreas, *Border Games* (Ithaca: Cornell University Press, 2000); diplomatic memoirs by President Bill Clinton and Secretary of State James Baker III, and statistics from numerous government and international organization sites.

<sup>47</sup> Fernando Romero, *Hyper-Border The Contemporary U.S.-Mexican Border and Its Future* (New York: Princeton Architectural Press, 2008), 6.

mark where the defense of a nation's sovereignty began or ended in a territorially based world."<sup>48</sup>

In other words, a border serves as the line in the sand from which a government protects its people and resources from external threats. The level of effort needed to secure a border is directly proportional to the economical attractiveness of the state, and exasperated by the size and geography of the border. While these descriptions and facts hold true, the effects of the globalization phenomena have changed the very idea of borders, and evolved both their roles and utilities. As globalization increases the interdependence of nations, the political natures of a border morph into what Dr. Olivia Cadaval describes, "An environment of opportunity. Individuals find work enforcing or avoiding the laws that regulate movement. Companies use national differences in labor and environmental regulations to pursue their advantage. Border society thrives on difference, and people and institutions come there to exploit niches in its environment."<sup>49</sup> The resulting sum of this opportunistic border environment manifests itself in an evolving demographic departure from their originating nations. Borders have ideally served as a demographic marker within which there existed a common language, culture and code of laws. However, as economic interdependence in border regions continues to grow, cultures have become increasingly intertwined, creating a border region that has taken on an identity of its own.

This cross pollination of cultures is apparent in the demographical statistics stating that 12 million Mexican-born individuals live in the United States, equaling over 11% of all Mexicans.<sup>50</sup> If these trends continue, in time, these demographic shifts will increasingly affect the politics, economies and culture of the two nations, forcing them to reevaluate their bi-national relations.<sup>51</sup> The cultural cross-pollination is apparent today in the growing number of Spanish-speaking

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<sup>48</sup> Lawrence A. Herzog, ed., *Changing Boundaries in the Americas* (San Diego: Center for U.S.-Mexican Studies University of California, San Diego, 1992), 5.

<sup>49</sup> Olivia Cadaval, "Migrations in History: Borders and Identity," Smithsonian Education, <http://www.smithsonianeducation.org/migrations/bord/intro.html> (accessed June 30, 2010).

<sup>50</sup> Romero, *Hyper-Border The Contemporary U.S.-Mexican Border and Its Future*, 11.

<sup>51</sup> Ibid.

entertainment programs and retail sales statistics. It could be a telling sign that salsa now sells more units than ketchup in U.S. markets and sales of tortillas rose 120% between 2001 and 2004, while inversely, bread sales decreased 12%. This cultural exchange is not limited to change in just U.S. markets, as demonstrated by the fact that there are more Wal-Marts and Coca-Cola products consumed in Mexico than any other nation in the world.<sup>52</sup>

While the beginnings of this cross-pollination can be traced back over a century, further evidence of its continued growth can be seen in the volume of activity in the trans-border region. As the point of convergence of both a developed and developing nation, the ever-increasing inter-reliant nature of the border region's economy drives the passage of approximately 700,000 to 1,000,000 Mexicans into the U.S. through land ports of entry daily to work, shop, and immigrate through legal means.<sup>53</sup> These legal crossings occur at one of sixty-seven manned border crossing points between San Diego, California and Brownsville, Texas.<sup>54</sup> What is unknown is the number of daily narco-trafficking and other criminally associated crossings.

Simultaneous with the crossing of individuals is the crossing of freight and trade. On any given day, 220,000 vehicles cross the border into the United States, with annual arrivals increasing from 1.9 million in 1991 to 3.5 million in 1996.<sup>55</sup> With continually increasing integration of society, trade and culture, this trend of greater border volume is likely to grow. Managing this growth presents challenges to officials on both sides of the border.

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<sup>52</sup> Romero, *Hyper-Border The Contemporary U.S.-Mexican Border and Its Future*, 110-111.

<sup>53</sup> Pia M. Orrenius, "The Border Economy: Illegal Immigration and Enforcement Along the Southwest Border," Federal Reserve Bank of Dallas, [http://www.dallasfed.org/research/border/tbe\\_orrenius.html](http://www.dallasfed.org/research/border/tbe_orrenius.html) (accessed August 10, 2010).

<sup>54</sup> Romero, *Hyper-Border The Contemporary U.S.-Mexican Border and Its Future*, 50-51.

<sup>55</sup> While unable to find hard official numbers for the latter part of the last decade, one could infer this has gone up proportional to the trade increases since. Peter Andreas, *Border Games* (Ithaca: Cornell University Press, 2000), 75-76.



## Trade

One cannot look at the U.S. and Mexico without considering the growing symbiotic nature of their respective economies and the impact this will continue to have on the diplomatic policies of both nations. Developed far beyond the original exchange of essential goods in the early years of the two nations, the economic growth and potential of both nations made an economic collusion of some sorts probable if not inevitable.

Beginning with the liberalization of Mexico and their move towards free markets in 1986, Presidents Reagan and George H.W. Bush identified the opportunity for a free trade initiative.<sup>56</sup> Former Secretary of State James Baker argued that the North American Free Trade Agreement (NAFTA) was beneficial in more than just trade. Baker described the concept as a “double opportunity for the United States.” He argued “By supporting economic reform, we could promote our political goals of stability and democracy in a region not traditionally known for either. At the same time, we could open up new and growing markets for American exports and investments.”<sup>57</sup> President Bill Clinton, who saw the initiative to fruition, echoed Baker by recognizing not only the value of creating a “giant market of 400 million people,” but also had the belief that “NAFTA was, essential, not just to our relationships with Mexico and Latin America, but also to our commitment to building a more integrated, cooperative world.”<sup>58</sup>

With widespread political acceptance in the U.S. in both political parties in the 1990s, NAFTA was ultimately ratified in 1994, linking the United States, Mexico, and Canada into a free trade area. NAFTA’s three primary objectives are to:

- a. Eliminate barriers to trade in, and facilitate the cross border movement of goods and services between the territories of the Parties

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<sup>56</sup> James A. Baker III, *The Politics of Diplomacy* (New York: G.P. Putnam’s Sons, 1995), 606-607.

<sup>57</sup> Ibid.

<sup>58</sup> Bill Clinton, *My Life* (New York: Vintage Books, 2004), 546-547.

- b. Promote conditions of fair competition in the free trade area
- c. Increase substantially investment opportunities in the territories of the Parties<sup>59</sup>

This agreement effectively created the world's largest free trade zone, linking 444 million people, producing 17 trillion dollars worth of goods and services.<sup>60</sup> In 2009, 176.5 billion dollars worth of U.S. imports came from Mexico, while exporting 129 billion dollars of its own goods there, making it the second largest U.S. export market.<sup>61</sup> Inversely, those imports equaled nearly 80 percent of Mexico's total exports.<sup>62</sup> These combined import and export numbers make Mexico the third highest trade partner with the United States following Canada and China.<sup>63</sup> While these numbers are significant, perhaps even more telling is the growth in trade between the two nations. Since the 1994 implementation of the North American Free Trade Agreement (NAFTA), Mexican exports to the United States have more than quadrupled, from \$60 billion to \$280 billion annually. During the same period, U.S. exports to Mexico have more than tripled.<sup>64</sup>

More than just creating a free trade zone, NAFTA reinforced the border region as the prime choice for manufacturers wishing to benefit from tariff free importing and exporting of raw materials and finished goods in proximity to low wage labor south of the border. This combination spurred the growth of an industrial base and the migration of laborers to the region.

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<sup>59</sup> According to Article 102 of the NAFTA, NAFTA SECRETARIAT, Frequently Asked Questions. <http://www.nafta-sec-alena.org/en/view.aspx?x=283#What%20is%20the%20NAFTA> (accessed August 30, 2010).

<sup>60</sup> Office of the United States Trade Representative, Free Trade Agreements: NAFTA. <http://www.ustr.gov/trade-agreements/free-trade-agreements/north-american-free-trade-agreement-nafta> (accessed August 30, 2010).

<sup>61</sup> U.S. Department of State. Background Note: Mexico. <http://www.state.gov/r/pa/ei/bgn/35749.htm> (accessed August 30, 2010).

<sup>62</sup> Ibid.

<sup>63</sup> U.S. Census Bureau. Foreign Trade Statistics: December 2009. <http://www.census.gov/foreign-trade/top/dst/2009/12/balance.html> (accessed August 30, 2010).

<sup>64</sup> Council on Foreign Relations. NAFTA's Economic Impact: JUL 7, 2009. [http://www.cfr.org/publication/15790/naftas\\_economic\\_impact.html](http://www.cfr.org/publication/15790/naftas_economic_impact.html) (accessed August 30, 2010).

This migration is contributing to the further urbanization of the border region, which is projected to double in population from 12 million to 24 million people by 2020.<sup>65</sup>

Dr. Lawrence Herzog summarizes this evolution of the U.S.-Mexican border and the growing state of interdependence beyond just economics. Although a continual process, Herzog describes three elements, the first being urbanization, or the gradual population shift towards permanent urban centers on or near the boundary; second, industrialization, or the relocation of industry toward the border zone; and third, new social formations.<sup>66</sup> Herzog aptly asserts that “the border is no longer just a line; it has become an economic zone that reaches into both Mexico and the United States.”<sup>67</sup> This economic zone is the beginnings of the vision of NAFTA.

While this level of interdependence and trade strengthens bonds and links as nations, it does come with a trade-off of increased risks as officials try to balance free trade with security. With NAFTA reducing the barriers of international travel between the U.S., Mexico, and Canada, it does enable the ease of trafficking of contraband items throughout these three nations. This is especially troubling considering only nine tractor trailers can provide the nation’s drug demand for one year, and DEA agents estimate that most cocaine travels into the U.S through regular ports of entry in commercial trucks and passenger vehicles.<sup>68</sup> With increased volume of individuals and shipping across the border, there has been a corresponding increase in vehicles crossing as part of the Line Release program, which allows customs officials to wave preapproved trucks through a port of entry without inspection.<sup>69</sup> Critics of the program state that

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<sup>65</sup> Romero, *Hyper-Border The Contemporary U.S.-Mexican Border and Its Future*, 44.

<sup>66</sup> Herzog, *Changing Boundaries in the Americas*, 10.

<sup>67</sup> Ibid.

<sup>68</sup> Alan D. Bersin, “Border Security and Deterring Illegal Entry into the United States,” (Testimony to the House Subcommittee on Immigration and Claims, Committee on the Judiciary, 105 cong., 1<sup>st</sup> session, 23 April 1997). Andreas, *Border Games*, 75.

<sup>69</sup> Upon its inception in 1987, Shippers who had a minimum of 50 shipments per year were eligible for the program. Andreas, *Border Games*, 77.

the program fails to conduct proper background checks on trucking companies and drivers; facilitating what California Senator Diane Feinstein dubbed “a superhighway for smugglers.”<sup>70</sup> With the inception of NAFTA in 1994, officials saw a 44% increase in Line Release vehicles crossing the border.<sup>71</sup> This observation and potential was not lost on the DTOs, who went so far as to establish fake businesses along the border in anticipation for NAFTA.<sup>72</sup> This is compounded further in the fact that Mexico has a deregulated trucking industry that facilitates travel anywhere in the country without inspection, potentially giving DTOs freedom of movement from source fields to street distributors.<sup>73</sup>

## Labor

Labor, like trade, symbiotically binds the U.S. and Mexico. Mexico’s labor pool and the U.S. need for affordable labor coupled with a tariff free border are an ideal combination for mutual benefit. One nation requires employment and wage earning opportunities and the other requires affordable labor. As a result, both nations have come to depend on what the other provides. To put it simply, the U.S. obtains affordable labor, keeping production and retail costs down, while Mexico receives much needed income.

With the Mexican economy unable to provide the labor needs of its citizens, many look to the north for opportunities. Estimates place 11% of all persons born in Mexico lived in the U.S. in 2005, including 14% of the total Mexican labor force.<sup>74</sup> Willing to work for lower wages and

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<sup>70</sup> Andreas, *Border Games*, 77.

<sup>71</sup> Ibid.

<sup>72</sup> Alfonso Reyes, “Plan Mexico: Towards An Integrated Approach in the War on Drugs,” *Small Wars Journal* (September 15, 2010), <http://smallwarsjournal.com/blog/journal/docs-temp/542-reynes.pdf> (accessed September 16, 2010).

<sup>73</sup> Andreas, *Border Games*, 75.

<sup>74</sup> Romero, *Hyper-Border The Contemporary U.S.-Mexican Border and Its Future*, 11.

“Mexican Born Persons in the U.S. Civilian Labor Force.” Migration Policy Institute, [http://www.migrationpolicy.org/pubs/FS14\\_MexicanWorkers2006.pdf](http://www.migrationpolicy.org/pubs/FS14_MexicanWorkers2006.pdf) (accessed August 10, 2010).

under conditions that most U.S. citizens would reject; many U.S. labor sectors look towards Mexican laborers, both documented and undocumented.<sup>75</sup> The influence of Mexican labor is most noticeable in the agricultural sector. With an estimated 75% of all farm workers of Mexican birth, the U.S. agricultural sector has become reliant on Mexican labor.<sup>76</sup> Substantial numbers also augment the construction industry as well, of which 12.5% of all construction laborers are Mexican.<sup>77</sup> Of that number, it should be pointed out that 47% are completely unauthorized, 53% are unauthorized workers, 25% are U.S. citizens of Mexican birth and 21% are legal permanent residents.<sup>78</sup>

While U.S. employers may in some cases exploit Mexican labor, their employment both legal and illegal is a trend that, barring sweeping reforms, is unlikely to end in the foreseeable future. The employment of Mexican labor is more than just lower labor cost and increased profit margins on the part of U.S. employers. The employment of Mexican labor has also become an integral, albeit, informal facet of the Mexican economy in the form of remittances.<sup>79</sup> With over 20 billion dollars sent to Mexico from the U.S. in 2005, remittances increased over 100% from the 8.9 billion dollars sent in 2001.<sup>80</sup> This total surpassed Mexican revenue from tourism and was

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<sup>75</sup> Coincidentally, according to the Migration Policy Institute, 7 million legal Mexican born workers in the U.S. had a 4.9% unemployment rate in 2006 as opposed to 5.1% of native-born workers. "Mexican Born Persons in the U.S. Civilian Labor Force." Migration Policy Institute, [http://www.migrationpolicy.org/pubs/FS14\\_MexicanWorkers2006.pdf](http://www.migrationpolicy.org/pubs/FS14_MexicanWorkers2006.pdf) (accessed August 10, 2010).

<sup>76</sup> Romero, *Hyper-Border The Contemporary U.S.-Mexican Border and Its Future*, 101.

<sup>77</sup> Ibid., 103.

<sup>78</sup> Ibid.

A permanent resident is someone who has been granted authorization to live and work in the United States on a permanent basis. As proof of that status a person is granted a permanent resident card, commonly called a "Green Card." You can become a permanent resident by sponsorship of a family member or employer in the United States, or through refugee or asylum status.

<sup>79</sup> Money received from abroad.

<sup>80</sup> Romero, *Hyper-Border The Contemporary U.S.-Mexican Border and Its Future*, 104. Migration Policy Institute, "Mexican Born Persons in the U.S. Civilian Labor Force."

equal to 71% of crude oil exports, (26 billion dollars) two of Mexico's largest economic sectors.<sup>81</sup> While most remittances are used for immediate consumption like food, housing and health care, some collective remittances sent from a U.S. community of migrants are used for productive projects and infrastructure improvements, in essence long-term developmental dollars.<sup>82</sup> While this does provide crucial revenue, Fernando Romero suggests that remittances have created a dependence that has reshaped families, communities and customs and led to weakened production in the Mexican countryside as families rely strictly on money from abroad.<sup>83</sup> It is important to point out that while U.S. retailers frequently bemoan remittances as lost revenue, they do provide a relatively benign source of income to Mexican families who might otherwise be forced by necessity to turn to working for DTOs or other criminal elements. Romero goes so far as to pose the question, "what would happen to the hundreds of thousands of Mexicans who rely on remittances if they were to stop?"<sup>84</sup> Both countries have a stake in the current system.

## **Illegal Aliens and Coyotes**

While illegal aliens are not the focus of this monograph, they do play a role in relation to the problems posed by the DTOs. Illegal aliens are a physical and symbolic representation of our inability to control our border, illegal aliens over the years have discovered, utilized and maintained infiltration routes that facilitate unaccounted access into the U.S. These routes are routinely shared with DTOs and potentially terrorists. Although illegal crossings have always occurred, today's illegal immigrants have become increasingly undesired and demonized due to fears stemming from September 11<sup>th</sup>, and their taxing of the social structures of the U.S.,

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<sup>81</sup> Romero, *Hyper-Border The Contemporary U.S.-Mexican Border and Its Future*, 104.

<sup>82</sup> U.S. Department of State. Background Note: Mexico.  
<http://www.state.gov/r/pa/ei/bgn/35749.htm> (accessed August 30, 2010).

<sup>83</sup> Romero, *Hyper-Border The Contemporary U.S.-Mexican Border and Its Future*, 104.

<sup>84</sup> Ibid.

especially since the economic downturn of 2008. While it is difficult to identify the exact number of illegal immigrants in the U.S., it is estimated that nearly 12 Million Mexican illegal immigrants are currently in the U.S. with approximately 850,000 entering annually.<sup>85</sup>

While illegal crossings continue, the nature of the crossings has change. Increased patrolling and apprehensions have transformed the “relatively simple illegal act of crossing the border into a more complex system of illegal practices. Past forms of unauthorized entry primarily involved either self smuggling or limited use of a local coyote. With the escalation of border policing in recent years, the use of professional smugglers has become standard practice.”<sup>86</sup> In 1997, The Binational Study On Migration attributed the successful rate of unauthorized entries to the increased use of professional coyotes, despite increased Border Patrol efforts.<sup>87</sup> The same study found that nearly 75% of all illegal crossers no employ coyotes.<sup>88</sup>

While some experts warn against the possibility of a mass migration in the event of a Mexican state failure, the true danger and risk to society is nested in the growing trend of human smuggling as a business and the use of professional guides or coyotes working with or for DTOs.

As shown, the interconnectivity of the borderland links the U.S. and Mexico together. The benefits and opportunities provided economically and socially through NAFTA and continued interaction provide a cornerstone for future relations that must be protected and preserved. Any threat or impediment to the continued growth and progress of this relationship becomes the concern and responsibility of both nations.

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<sup>85</sup> Stephen Olemacher, “Number of Illegal Immigrants Hits 12 Million,” Breitbart, <http://www.breitbart.com/article.php?id=D8G6U2ko8> (accessed October 10, 2010).

<sup>86</sup> Andreas, *Border Games*, 95.

<sup>87</sup> Binational Study On Migrations, *Binational Study: Migration Between Mexico and the United States* (Mexico City and Washington D.C.: Mexican Foreign Ministry and U.S. Commission on Joint Immigration Reform, 1997), 28.

<sup>88</sup> Ibid.

## Drug Trafficking Organizations (DTOs)

Of all threats posed resulting from cross border activities, the current most visible and malevolent one is the influx and influence of Mexican DTOs in our society today. The penetration of drug abuse and DTO sponsored gangs, coupled with the growing violence and intimidation along the southern border regions spawned by the DTOs make them a modern day criminal hydra. The U.S and Mexican governments are finding it increasingly hard to cope with. DTOs influence and in some cases control in many of Mexico's northern states is gained, maintained and supported by acts of coercion, violence and intimidation and makes them a destabilizing factor in the region and direct threat to the safety of the citizens of both nations. In its examination of DTOs, this chapter will address their rise, ongoing power struggle and the introduction of Los Zetas. It will also explore DTO links to other illegal activities enterprises, specifically human trafficking, terrorist links, and the arms trafficking that contribute to continued escalation and violence.

Mexican DTOs emerged as adjuncts of the Columbian drug cartels in the late 1980s-1990s. Mexican DTOs were originally an alternate smuggling effort for Columbian cartels whose primary trafficking through Florida and the Caribbean was increasingly interdicted by U.S. efforts.<sup>89</sup> The subsequent rise of the Mexican DTOs saw the emergence of four primary organizations, the Gulf, Sinaloa, Juarez and Gulf cartels.<sup>90</sup> Their presence extends throughout much of Mexico, with expanding influence in the U.S.<sup>91</sup> By the late 1990s Mexican DTOs had largely pushed aside the Columbians, becoming a major supplier of heroin, methamphetamine,

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<sup>89</sup> See Andreas, *Border Games*, 51-53.

<sup>90</sup> Colleen Cook, *Mexico's Drug Cartels* (Washington D.C.: Congressional Research Service, 2007), 10.

<sup>91</sup> According to the Mexican Government, the Juarez Cartel has presence in 21 Mexican States, the Sinaloa Cartel, 17 states, the Gulf Cartel, 15 states, and the Tijuana Cartel is present in at least 15 states. Cook, *Mexico's Drug Cartels*, 4.



marijuana, and cocaine to U.S. markets.<sup>92</sup> An industry in itself, DTOs conduct approximately 25 billion dollars in business annually.<sup>93</sup> The U.S. Office of National Drug Control summarize the problem in the opening page of its National Southwest Border Counternarcotics Strategy:

Mexican drug trafficking organizations have come to dominate the illegal drug supply chain, taking ownership of drug shipments after they depart South America and overseeing their transportation to market and distribution throughout the United States. Current estimations state that 90 percent of the cocaine that is destined for U.S. markets transits the Mexico/Central America corridor. Mexico is the primary foreign source of marijuana and methamphetamine destined for U.S. markets and is also a source and transit country for heroin. Mexican drug trafficking organizations dominate the U.S. drug trade from within, overseeing drug distribution in more than 230 U.S. cities.<sup>94</sup>

The Department of Justice's 2010 National Drug Threat assessment cautions that the "Mexican DTOs represent the greatest organized crime threat to the United States, controlling drug distribution in many U.S. cities, and gaining strength in markets they do not yet control."<sup>95</sup> The Mexican DTOs are clearly the greatest threat to the security of the U.S.-Mexican borderlands today.

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<sup>92</sup> Vivian Chu and William Krause, *Gun Trafficking and the Southwest Border* (Washington D.C.: Congressional Research Service, 2009), 1.

<sup>93</sup> Hal Brands, *Mexico's Narco-Insurgency and U.S. Counterdrug Policy* (Carlisle: Strategic Studies Institute, 2009), 5.

<sup>94</sup> R. Gil Kerlikowske, *The National Southwest Border Counternarcotics Strategy: June 2009*, (Washington D.C.: Office of National Drug Control Policy, 2009), 2. This document can also be found online at [http://www.ondcp.gov/publications/swb\\_counternarcotics\\_strategy09/swb\\_counternarcotics\\_strategy09.pdf](http://www.ondcp.gov/publications/swb_counternarcotics_strategy09/swb_counternarcotics_strategy09.pdf)

<sup>95</sup> U.S. Department of Justice, "National Drug Threat Assessment 2010: Executive Summary" U.S. Department of Justice, <http://www.justice.gov/ndic/pubs38/38661/execSum.htm#Top> (accessed August 5, 2010).



Figure 1. U.S. Cities Reporting the Presence of Mexican Drug Trafficking Organizations January<sup>96</sup>

## Human Trafficking and Terrorism

While it is natural to gravitate to the specific illicit narcotics threat posed by Mexican DTOs, their threats run deeper than just the trafficking and impact of narcotics. As their operations continue to grow, they spawn supplemental lines of criminal effort and violence. DTOs are driven by greed. Mimicking legitimate corporations, they “strive to make money, expand markets, and move as freely possible in the political jurisdictions within and between

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<sup>96</sup> From January 1, 2006-April 8, 2008. National Drug Intelligence Center, “National Drug Threat Assessment 2009” National Drug Intelligence Center, <http://www.justice.gov/ndic/pubs31/31379/appenda.htm#Map5> (accessed June 30, 2010).

which they work.”<sup>97</sup> Continuing to evolve from their role as smugglers for the Colombian cartels, Mexican DTOs have diversified taking on an ever-larger role in the processes from production to distribution

This evolution has metastasized into the smuggling of humans as well. With screening efforts and capabilities growing at ports of entry, the DTOs have increasingly expanded their activities into the human smuggling trade to supplement their income. Charging between \$1,200-\$2,500 for Mexican illegal aliens and \$45,000-\$60,000 for foreign nationals, the DTOs can generate billions of dollars per year for relatively low risk, as most captured aliens and their smugglers are most often not prosecuted and returned to their country of origin.<sup>98</sup> DTOs, seeing not only the receipt of fees paid for transit, by controlling the smuggling routes, also utilize the aliens as either narcotic carrying mules or large groups as diversion, drawing the attention of law enforcement resources as large shipments are being transported elsewhere.<sup>99</sup>

With much of the attention in the Southwest Border region focused on the current DTO related violence, it is important not to lose focus on a greater threat and stated priority of The National Security Strategy, that of terrorist and their materiel’s entry into the U.S. homeland. While awareness and efforts to prevent this from occurring have increased since 2001, one cannot discount the potential impacts of a dangerous alliance between terror organizations and DTOs, specifically unaccounted entry points. With their increasing expansion and DTO control in the human struggling industry, and the increased apprehension of other than Mexican immigrants, specifically those from special interest countries known to support terrorism, one can infer

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<sup>97</sup> Max G. Manwaring, *Insurgency Terrorism & Crime Shadows From the Past and Portents For the Future* (Norman: University of Oklahoma Press, 2008), 121.

<sup>98</sup> McGaul, *A Line in the Sand: Confronting the Threat at the Southwest Border*, 14-15.

<sup>99</sup> Ibid.

increased collaboration between DTOs and terror organizations.<sup>100</sup> Terrorist networks seeking clandestine entrance into the country are a matter of concern for U.S. officials. Although much of the conclusive evidence of this is undoubtedly classified, the U.S. Border patrol reports a 41% increase in arrests of special interest aliens since September 11, 2001. While these could simply be benign individuals, the House Committee on Homeland Security has reported that members of Hezbollah have already entered the U.S. across the southwest border. The same report states that ICE investigations reveal aliens have been smuggled from the Middle East to staging points in Central and South America for entry into the U.S.<sup>101</sup> This parallels efforts described by former Director of the FBI Robert Mueller's testimony that "there are individuals from countries with known Al-Qaida connections who are changing their Islamic surnames to Hispanic sounding names and obtaining false Hispanic identities, learning to speak Spanish and pretending to be Hispanic immigrants."<sup>102</sup> Al Qaida itself is using a Mexican Border scenario in a 2009 recruiting message.<sup>103</sup> These efforts reinforced by the contemporary examples of narco/terror relationships such as the poppy trade supported Taliban translate into a serious gap in our efforts to combat the entry of terrorists.

## Escalation and Los Zetas

Despite the vastness of the border and potential infiltration points, much of the DTO's trade functions like the equivalent of a military's mobility corridors, utilizing proven highly trafficable

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<sup>100</sup> Of 1.2 million illegal alien apprehension in 2005, 165,000 were from countries other than Mexico, of those, approximately 650 were from special interest countries "designated by the intelligence community as countries that could export individuals that could bring harm to our country in the way of terrorism." McGaul, *A Line in the Sand: Confronting the Threat at the Southwest Border*, 2.

<sup>101</sup> Ibid., 4.

<sup>102</sup> Ibid., 30.

<sup>103</sup> Norah Petersen, "The War On Terror at the Mexican Border," *The American Thinker* (November 15, 2010), [http://americanthinker.com/2010/08/the\\_war\\_on\\_terror\\_at\\_the\\_mexic.html](http://americanthinker.com/2010/08/the_war_on_terror_at_the_mexic.html) (accessed November 15, 2010).

areas.<sup>104</sup> Control of these corridors translates into control of illegal smuggling, both of humans and drugs. Any criminal organization that wants to smuggle through these established safe passages in to the U.S. is required to pay a tax to the controlling DTO.<sup>105</sup> In essence, whoever controls the corridors controls the market share and corresponding revenue. The struggle for control of these corridors is manifested not only in violent acts against rival cartels, but in competition for “influence over law enforcement and the media, using intimidation and murder as they see fit.”<sup>106</sup>

The control of these corridors has been largely dominated by the four major cartels, along with growing influence from the paramilitary Los Zetas. With the arrest of Gulf Cartel leader Osiel Cardenas in 2003, the rival Sinaloa Cartel began to contest control of the Nuevo Laredo corridor, causing the formation of alliances between the Tijuana and Gulf Cartels, and Juarez and Sinaloa Cartels. These alliances essentially polarized the rival factions into what has been described as “massive and violent turf wars which are currently being carried out in Nuevo Laredo.”<sup>107</sup>

Further complicating these turf wars is the Gulf Cartels employment of Los Zetas, a criminal oriented paramilitary organization comprised of former Mexican and Latin American special forces soldiers. The Los Zetas originated from 30 Lieutenants who deserted from the

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<sup>104</sup> Along the southern border, the Border Patrol has identified three primary smuggling corridors, the South Texas Corridor, West Texas/New Mexico Corridor, and the California/Arizona Corridor. More than ninety percent of the one million arrests the border patrol makes along the U.S. Mexican Border occurs within one of these three corridors. U.S. Department of Justice, “National Drug Threat Assessment 2010: Drug Movement Into and Within the United States” U.S. Department of Justice, <http://www.justice.gov/ndic/pubs38/38661/movement.htm#Overland> (accessed August 5, 2010).

<sup>105</sup> McGaul, *A Line in the Sand: Confronting the Threat at the Southwest Border*, 11.

<sup>106</sup> Cook, *Mexico’s Drug Cartels*, 14.

<sup>107</sup> McGaul, *A Line in the Sand: Confronting the Threat at the Southwest Border*, 11.

Mexican Military's Special Air Mobile Force Group to the Gulf Cartel in the late 1990s.<sup>108</sup>

Operating as a private army, the Zetas were instrumental not only in the Gulf Cartels domination of Nuevo Laredo, but northern Mexico and trafficking routes along the eastern half of the U.S.

Mexico border.<sup>109</sup> Well trained and equipped, the Zetas brought professional knowledge of advanced weaponry and battle tactics, and came with a pre-existing chain of command.<sup>110</sup>

Showing a penchant for brutality and willingness to target rivals and law enforcement officers on both sides of the border, their methods have been likened to Al Qaeda and other terrorist organizations.<sup>111</sup> Their introduction and wanton use of violence forced the rival Sinaloa Cartel to form similar organizations of former soldiers. These organizations, Los Negros and Los Pelones counter the tactics of the Zetas, further escalating the level of violence.<sup>112</sup>

With the arrest of Gulf Cartel leader Osiel Cardenas, the Zetas role went from enforcement to defending the cartels interests as other cartels sought to exploit the perceived leadership vacuum. Successfully defending the territory, the Zetas began to expand their influence within the cartel branching from enforcement to trafficking and ultimately made a bid for leadership. Eventually the Zetas began to branch out on their own between 2007 and 2008, gradually becoming more independent from their former Gulf Cartel employers, who began to discredit their former employees, describing them as "bandits and common thugs, who don't have the people's interest at heart."<sup>113</sup> This growing schism between the Zetas and their former employers reached a boiling point in February 2010, as the Gulf Cartel announced the formation of "La

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<sup>108</sup> Cook, *Mexico's Drug Cartels*, 10.

<sup>109</sup> McGaul, *A Line in the Sand: Confronting the Threat at the Southwest Border*, 11.

<sup>110</sup> John Murray, "Ciudad Juarez: War Against Los Zetas, Along the Gulf and Into America," The AWL, <http://theawl.com/2010/04/ciudad-juarez-war-against-los-zetas-along-the-gulf-and-into-america> (accessed October 5, 2010).

<sup>111</sup> McGaul, *A Line in the Sand: Confronting the Threat at the Southwest Border*, 12.

<sup>112</sup> Murray, "Ciudad Juarez: War Against Los Zetas, Along the Gulf and Into America."

<sup>113</sup> Ibid.

Nueva Federacion,” an alliance with their former enemies the Sinaloa Cartel, against the Zetas, further increasing the stakes and ultimately the continuation of the brutal violence in the region.<sup>114</sup> While the polarization and alliances between DTOs makes targeting the easier from a law enforcement standpoint, the resulting violence has paralyzed the region with more than 28,000 deaths between 2006 and October 31, 2010.<sup>115</sup>

While the majority of the violence is currently on the Mexican side of the border, Zeta presence has been confirmed on the U.S. side of the border. Much of this is facilitated by a strengthening of the relationships between the DTOs and U.S. street gangs who facilitate retail drug trafficking and distribution in the U.S.<sup>116</sup> These growing relationships have increased the probabilities of direct U.S. law enforcement actions against the Zeta and other DTOs operations and subsequent guidance has been given to stand up to U.S. law enforcement in the event of interdiction or interference in an operation.<sup>117</sup> This guidance increases the potential for an escalation of violence to conditions that have to this point, been largely confined to the Mexican side of the border. However, “turmoil has already begun to spill over into Texas, Arizona, and other U.S. cities, and an individual linked to the Zetas is currently wanted in the killing of a Dallas police officer.”<sup>118</sup> It is not inconceivable that their success in negating Mexican officials and control through bribery, intimidation, kidnappings and assassinations, could also be carried over the border in response to U.S. efforts to counter their activities. Examples of this have already been seen in the 1 million dollar bounty placed on Maricopa County, Arizona Sheriff Joe

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<sup>114</sup> Murray, “Ciudad Juarez: War Against Los Zetas, Along the Gulf and Into America.”

<sup>115</sup> Arthur Brice, “Drug War Death Toll in Mexico Since 2006 Exceeds 28,000, Official Says,” CNN.com, [http://articles.cnn.com/2010-08-03/world/mexico.drug.deaths\\_1\\_drug-violence-drug-cartels-zetas?s=PM:WORLD](http://articles.cnn.com/2010-08-03/world/mexico.drug.deaths_1_drug-violence-drug-cartels-zetas?s=PM:WORLD) (accessed November 10, 2010).

<sup>116</sup> Staff Writer, FBI Warns of Cartels Arming, *The Washington Times*, October 26, 2008. <http://www.washingtontimes.com/news/2008/oct/26/fbi-warns-of-cartel-arming/> (accessed September 15, 2010). Michael T. McGaul, *A Line in the Sand: Confronting the Threat at the Southwest Border* (Washington D.C.: House Committee On Homeland Security, 2007), 15.

<sup>117</sup> Ibid.

<sup>118</sup> Brands, *Mexico’s Narco-Insurgency and U.S. Counterdrug Policy*, 13.

Arpaio's life and threats made against two law enforcement members and their families in Nogales, Arizona.<sup>119</sup> Tony Garza, former U.S. Ambassador to Mexico warns that "violence in the U.S.-Mexico border region continues to threaten our very way of life, and as friends and neighbors, Mexicans and Americans must be honest about the near-lawlessness of some parts of our border region."<sup>120</sup> The precedent of violence established by the major DTOs is likely to not only continue in the near term, but expand deeper into portions of the U.S. Related violence will occur both directly from DTOs and indirectly in a proxy fashion through related U.S. gangs.

## **Arms Trafficking**

As the last section described, current DTO activities and their ongoing turf war has changed the required security posture of both criminal and government forces. No longer simply a matter of self-protection during a drug transaction, today's DTOs require a far greater armed capability as they fight to gain, control and retain key territories, essentially initiating a narcotics fueled arms race. The required firepower has not only increased the level and scale of violence between DTOs, but also outmatched the firepower of law enforcement on both sides of the border. DTO members, almost universally armed with M-16 style and AK-47 assault rifles, are also equipped with rocket-propelled grenades, automatic weapons as well as body armor and helmets similar to what the U.S. military uses. Additionally upping the ante are numerous seizures by U.S. law enforcement containing grenades and explosive material for improvised explosive devices, as well as enablers such as radios, silencers and sniper scopes.<sup>121</sup>

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<sup>119</sup>CNN Wire Staff, "Arpaio's Office Investigating Alleged Threat," CNN.com, [http://articles.cnn.com/2010-08-02/us/arizona.arpaio.threat\\_1\\_federal-probe-sheriff-joe-arpaio-fbi-investigation?\\_s=PM:US](http://articles.cnn.com/2010-08-02/us/arizona.arpaio.threat_1_federal-probe-sheriff-joe-arpaio-fbi-investigation?_s=PM:US) (accessed October 5, 2010). Joshua Rhett Miller, "Mexican Drug Cartel Warns Police Officers In Arizona Border Town to 'look the other way'," FoxNews.com, <http://www.foxnews.com/us/2010/06/22/mexican-cartel-threatens-target-officers-arizona-border-town/> (accessed October 5, 2010).

<sup>120</sup> McGaul, *A Line in the Sand: Confronting the Threat at the Southwest Border*, 22.

<sup>121</sup> Ibid., 23.



This increased firepower capability has forced two extremes. In some instances local U.S. law enforcement officials have opted to patrol less aggressively, while inversely, Mexico has deployed its military to confront the situation directly.<sup>122</sup> Yet, in spite of Mexican President Calderon's deployment of Mexican army and federal police to regain cartel-controlled areas; Mexican DTOs have responded in kind, increasing both quantities and capabilities of firearms and weaponry to match not only those of rival gangs, but to achieve parity with the Mexican Federal Police and Army as well.<sup>123</sup> To achieve this parity, DTOs have looked towards illicit firearms importation or trafficking from multiple nations, to include the U.S.<sup>124</sup> Using middlemen, DTOs acquire firearms from the U.S. through gun shows, pawn shops and dealers, and in some cases theft.<sup>125</sup>

While firearms are available for purchase in Mexico; its gun control laws, in contrast to its levels of violence, are surprisingly some of the strictest in the world. There are limits on quantities, calibers, and types to relatively benign models whose primary purpose is self-defense. In contrast, U.S. gun control laws are limited in nature, historically due to the 2nd Amendment which ultimately allows for unsupervised 2nd party sales to middlemen and subsequent transport/trafficking.<sup>126</sup> As a result of this comparatively lax gun control, approximately 90

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<sup>122</sup> Hidalgo County, Texas Sheriff has prohibited his department from patrolling the banks of the Rio Grande because of the level and threat of cartel violence. McGaul, *A Line in the Sand: Confronting the Threat at the Southwest Border*, 23.

<sup>123</sup> Vivian Chu and William Krause, *Gun Trafficking and the Southwest Border* (Washington D.C.: Congressional Research Service, 2009), 1.

<sup>124</sup> In the Congressional Research Report on Gun Trafficking and the Southwest Border, "drug cartels reportedly are buying semiautomatic versions of AK-47 and AR-15 style assault rifles, and other military-style firearms, including .50 caliber sniper rifles in the United States." The same article does reference Bill Conroy's article in the March 29, 2009 edition of *Narcosphere*, "Legal U.S. Arms Exports May Be Source of Narco Syndicates Rising Firepower", which suggests that military-grade firearms and explosives have originated from U.S. military aid packages to Mexico and other Central American countries.

<sup>125</sup> Brands, *Mexico's Narco-Insurgency and U.S. Counterdrug Policy*, 20.

<sup>126</sup> Jess T. Ford, *Firearms Trafficking, U.S. Efforts to Combat Arms Trafficking to Mexico Face Planning and Coordination Challenges* (Washington D.C.: Government Accountability Office, 2009), 22.

percent of firearms seized in Mexico and traced over the past 3 years have come from the United States, of which 68 percent were manufactured in the United States.<sup>127</sup> Not surprisingly, U.S. and Mexican government and law enforcement officials state most guns trafficked to Mexico are intended to support operations of Mexican DTO's, which are also responsible for trafficking arms to Mexico.<sup>128</sup>

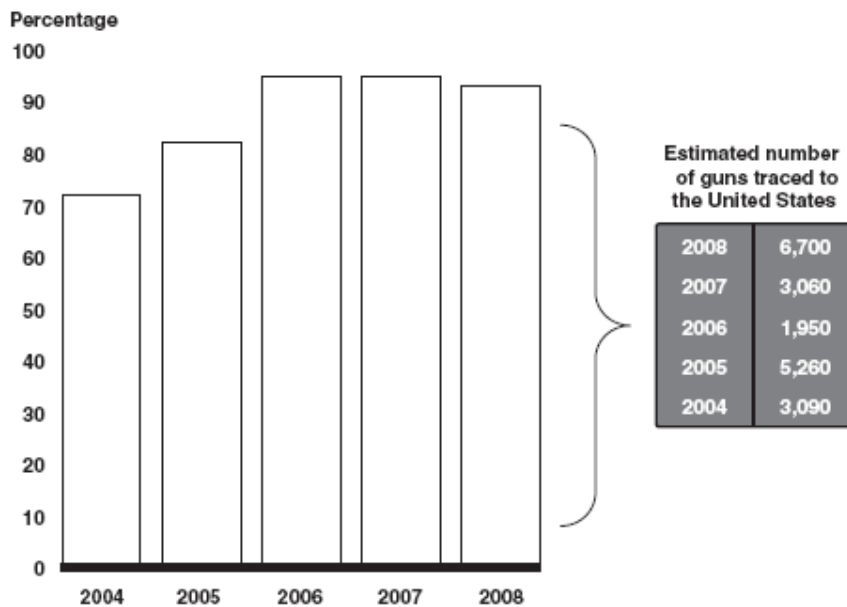


Figure 2: Percentages of Firearms Seized in Mexico and Traced In Fiscal Years 2004-2008 That Originated in the United States<sup>129</sup>

The lucrative nature of arms trafficking, which yields a 300-500% profit, manifests itself not in large transactions, but rather a routine small scale of smuggling of guns across the border in

<sup>127</sup> Jess T. Ford, United States Government Accountability Office, *Firearms Trafficking , U.S. Efforts to Combat Arms Trafficking to Mexico Face Planning and Coordination Challenges*, Testimony before the Subcommittee on the Western Hemisphere, Committee on Foreign Affairs, House of Representatives, GAO-09-781T (Washington D.C., 2009), 3-4.

<sup>128</sup> Ibid.

<sup>129</sup> Jess T. Ford, *Firearms Trafficking , U.S. Efforts to Combat Arms Trafficking to Mexico Face Planning and Coordination Challenges* (Washington D.C.: Government Accountability Office, 2009), 15.

ones and twos forming what Mexican officials have called “The Iron River.”<sup>130</sup> Predominantly this is done through a method called Straw Purchases, during which guns are purchased from the aforementioned sources and then sold to an intermediary, who then smuggles the guns across the border.<sup>131</sup> Repeated trips like this of one to three guns are termed Ant Runs, and are a common way firearms are smuggled into Mexico.<sup>132</sup> While it is illegal to smuggle firearms into the U.S., there is no provision that specifically prohibits smuggling firearms out of the U.S. Those who are caught smuggling firearms are typically charged under a general smuggling provision.<sup>133</sup> Taking advantage of this oversight in smuggling legislation and hiding under the protective shadow of U.S. second amendment rights, a smuggler can claim the firearms are lawful personal property; it is exceedingly difficult for law enforcement officials to establish a criminal offense until the firearms actually cross the border, at which point jurisdiction is lost.<sup>134</sup>

As described earlier, the DTOs are a modern day criminal hydra, spawning violence and promoting instability in the region. While their violence is predominantly south of the border now, left unchecked, they will continue to destabilize the region through violence, governmental infiltration, and economic infusions to local economies. This increases DTO relative control, making them increasingly hard to dismantle or defeat on either side of the border. Nonetheless, both the U.S. and Mexican governments are carrying out initiatives to combat the corrosive impact of the DTOs in the borderlands and both countries generally.

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<sup>130</sup> Tim Weiner and Ginger Thompson, “U.S. Guns Smuggled Into Mexico Feed Drug War,” *New York Times*, (May 19, 2001), 3. Brands, *Mexico’s Narco-Insurgency and U.S. Counterdrug Policy*, 20.

<sup>131</sup> Federal law currently permits the private transfer of certain firearms from one unlicensed individual to another, and is further reinforced by the fact that the law prohibits the U.S. government from maintaining a national registry of firearms. Chu and Krause, *Gun Trafficking and the Southwest Border*, 22.

<sup>132</sup> Jennifer E. Lake and Kristen M. Finklea, *Southwest Border Violence: Issues In Identifying and Measuring Spillover Violence* (Washington D.C.: Congressional Research Service, 2010), 29.

<sup>133</sup> Chu and Krause, *Gun Trafficking and the Southwest Border*, 20-21.

<sup>134</sup> *Ibid.*

## Mexican Efforts to Regain Control

While clearly United States citizens, law enforcement and lawmakers are justifiably concerned with the violence along the southern border, it is important to remember that although escalating in frequency, this is only peripheral or spillover violence at this time. Not so for the government and people of Mexico who are dealing with violence at a wholesale level throughout much of their country. With approximately 8,565 drug related deaths from 2007-2008, over 500 of them police officers, Mexico is facing what equates to a crime-based insurgency and have arguably lost control and sovereignty in portions of several of their northern states.<sup>135</sup> While significant efforts have been made by recent administrations, Mexico is hampered by having to reorganize and reform its own legal and judicial systems as well as deal with economic and social issues before it can effectively enforce the rule of law.

While drug related violence is nothing new to Mexico, recent research points out differences and escalations in the latest incarnation. Specifically, the targeting of high-level police forces and government officials, to include hit lists posted in public places, public displays of violence, in which citizens are often caught in the crossfire, beheadings, and increased kidnappings.<sup>136</sup> Additionally, the use of former Mexican and Guatemalan special operations forces (Zetas and Kaibiles) has transformed gansterism to paramilitary terrorism with guerrilla tactics.<sup>137</sup> The effect of this increased violence on the populace is reflected in a recent survey which states that 71% of respondents reported not feeling safe in their homes, while a

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<sup>135</sup> In 2008 alone, 1,600 of these murders occurred in Juarez, adjacent to the U.S. city of El Paso. Agnes Gereben Schaefer, Benjamin Bahney, and K. Jack Riley, *Security In Mexico Implications for U.S. Policy Options* (Santa Monica: The RAND Corporation, 2009), 2.

<sup>136</sup> Ibid., 3.

<sup>137</sup> Stephanie Hanson, "Mexico's Drug War," *Council on Foreign Relations*, (November 20, 2008), [http://www.cfr.org/publication/13689/mexicos\\_drug\\_war.html](http://www.cfr.org/publication/13689/mexicos_drug_war.html) (accessed September 15, 2010).

corresponding 72% do not feel safe in their city.<sup>138</sup> The level of violence has reached the point that has caused a shift of Mexico's national security policy from strategic defense to that of human safety.<sup>139</sup>

Elected to office in December 2006, President Felipe Calderon has made fighting the DTOs a major part of his administration's focus most notably by his deployment of 40,000 Federal soldiers to "to fight the drug cartels and bring order to areas that are under the foothold of the cartels."<sup>140</sup> Although this deployment received much press in the U.S., Calderon perhaps more importantly has targeted police corruption. In his first year in office, beginning in January 2007, Calderon confined and disarmed 2,300 police officers in Tijuana followed by the Tabasco State Police in March, entrusting control to the Army and Federal Police. Not only targeting corruption at the local levels, Calderon then proceeded to remove 284 federal police commanders to include the commanders of all 31 states and the federal district.<sup>141</sup>

Parallel to his police purges, Calderon initiated government reforms at the federal level in his March, 2007 Comprehensive Strategy for Preventing and Combating Crime. Aimed at both increasing efficiency and reducing corruption, this policy sets guidelines for federal strategy in seven areas:

1. Alignment of Mexican government structures and competencies against crime,
2. Crime prevention and social involvement,
3. Institutional development,
4. The penitentiary system,
5. Tackling corrupt practices,
6. Technology, and
7. Federal Police performance indicators in coordination with civil society<sup>142</sup>

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<sup>138</sup> The study also asserts that this fear is contributing to increased migration pressure. Schaefer, Bahney, and Riley, *Security In Mexico Implications for U.S. Policy Options*, 6.

<sup>139</sup> Ibid., 5.

<sup>140</sup> Ibid., 4.

<sup>141</sup> Ibid., 39.

<sup>142</sup> Ibid., 33.

While Mexican officials touted this strategy for providing coherent guidance, the public became increasingly concerned with the ongoing violence. Calderon proposed a follow on set of reforms in August 2008 to a summit that included federal representatives, representatives from all 31 states, unions, churches, civil organizations and the media.<sup>143</sup> Signed as an anticrime pact touted as a matter of national security, the pact consisted of 75 commitments, including:

1. Transferring all organized crime suspects to high security prisons within 30 days
2. A new, more secure national ID card to be introduced within 3 years
3. The establishment of a single, nationwide emergency number for reporting crime
4. Increased testing, training and vetting of Mexico's approximately 376,000 police officers
5. The creation of a citizens panel to monitor government progress in fighting crime
6. Better police recruiting and oversight systems
7. Equipping officers with more powerful weapons<sup>144</sup>

Although, these measures seem bureaucratic in nature, they are bold and essential measures in coordinating law enforcement efforts and reducing corruption in the law enforcement and judicial systems. Most importantly, these measures could win back the public's trust and faith in these same systems, of which polls show only 10-7% have confidence in.<sup>145</sup> Coupled with President Calderon's security reforms, the military and law enforcement are also receiving aid and increased capability in the form of the U.S. Merida Initiative. Recent initiatives show Calderon is still intent on eliminating the corruption in local police forces. Dubbed "Unified Command," President Calderon is seeking to eliminate 2,000 municipal police forces, replacing them with forces provided by the 31 Mexican states.<sup>146</sup> Aimed at eliminating collusion between law enforcement and criminal elements, the new police forces would be better screened, trained

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<sup>143</sup> Representative of all facets of government and society as opposed to the earlier federal centric initiative.

<sup>144</sup> Schaefer, Bahney, and Riley, *Security In Mexico Implications for U.S. Policy Options*, 33-34.

<sup>145</sup> Ibid., 28.

<sup>146</sup> Ken Ellingwood, "Mexican President Wants To Do Away With Local Police," Los Angeles Times, October 6, 2010. <http://articles.latimes.com/2010/oct/06/world/la-fg-mexico-police-reform-20101006> (accessed October 10, 2010).

and equipped to more effectively combat the influence and intimidation of the DTOs. Calderon's efforts have had an impact. In October 2007, the "White House Office of National Drug Control Policy reported that the Mexican government's increased pressure on cartels coincided with cocaine shortages in 37 U.S. cities and a 24% increase in the retail price of cocaine during the second quarter of 2007."<sup>147</sup>

While no one can deny President Calderon and Mexico have undertaken measures to combat its problems of violence, crime and corruption, they have taken a direct approach, with little or no regard to the root causes that enable such actions. While DTOs are more well known for controlling their territory through intimidation and force, there is no reason for the civilians to cooperate with the government against them. The same factors that drive immigrants to the U.S. for employment influence a decision to support the DTOs for those who stay. With much of the attention of Calderon's reforms given to high-level corruption, not much is given for the impoverished farmer or laborers who are provided income from DTO employment. The narcotics industry provides employment to farmers who can earn greater income through growth of illegal crops, and offer employment and upward mobility to youth who are attracted by the money or status.<sup>148</sup> This alternative economic opportunity "accounts for 40-80% of all economic activity in some parts of the country."<sup>149</sup> This dependence and opportunities are threatened by the prospect of successful counter drug operations that ultimately will have a reaching negative impact on much of the legitimate businesses, as the primary source of income becomes restricted<sup>150</sup>

Perhaps even more legitimizing for the DTOs, but delegitimizing for the Mexican government are the economic opportunities the investments the DTOs make in the

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<sup>147</sup> Cook, *Mexico's Drug Cartels*, 13.

<sup>148</sup> Reyes, "Plan Mexico: Towards An Integrated Approach in the War on Drugs," 20-21.

<sup>149</sup> Ibid., 22.

<sup>150</sup> Ibid.

communities in the form of infrastructure and services that the federal government has failed to provide. Former FBI agent Stan Pimentel summarizes their philanthropic potential in his statement, “Cartel leaders have built roads. They have built houses. They have built hospitals. They’ve built clinics, chapels; you name it, supporting teachers for the families that work for them.”<sup>151</sup> These actions pose an additional level of complexity for the government. Unable to provide these services themselves, how will they be perceived if they take away critical assets to a community? Without government initiatives to deal with these issues of poverty, employment, and development, the DTOs will continue to have a large pool of recruits and support for continued operations, in spite of the success of police and army efforts.

Although the continued violence and DTO influence continues to run rampant, Mexican efforts are genuine. The loss of life incurred by law enforcement officials, large-scale commitment of the armed forces, and police reform are undeniable evidence. Yet, the lack of investment by the government in social programs and economic growth will continue to have a destabilizing effect on the population that marginalizes government control.

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<sup>151</sup> Galen, *Bad Neighbor Policy*, 185.



## U.S. Initiatives

Clearly, the problem of securing our borders is vast and complex, requiring all facets of the government to contribute to the solution. Foregoing a predominantly military border security force, and lacking a singular federal policing force, the U.S. takes a multi-agency approach to its border security. Aimed at securing the borders and its population through law enforcement, this approach incorporates numerous agencies from throughout government.

With a multitude of ongoing efforts, there is lack of central control often leading to confusion of jurisdictions and disjointed efforts amongst the U.S. agencies involved. Further complicating the situation is the diverse nature of the problems. While the problem is actually a conglomeration of multiple problems, it is not a stretch to say they are all tied to DTOs either directly or indirectly. While these problems interconnect, they each require a deliberate effort to counter them, and the resulting sheer number of initiatives, organizations and task forces are more than can be listed in this monograph. While no clear lead has been identified, three large stakeholders have emerged; The Office of National Drug Control Policy (ONDCP), The Department of Homeland Security(DHS), and the Department of Justice(DOJ).<sup>152</sup> Each one of these organizations has assumed responsibility for specific border functions, though overlapping functions/responsibilities still exist.

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<sup>152</sup>As stated, there is a multitude of agencies involved on the border. Most of the more highly recognized ones are nested under the Department of Homeland Security and the Department of Justice. The basis of this section is supported from primarily government documents, Congressional Research Service Reports and Government Accountability Office reports and testimonies.

Created in a federal restructuring following the events of September 11, 2001, The Department of Homeland Security is now in charge of Customs and Border Protection (and its subordinate Border Patrol), Immigration and Customs Enforcement, the U.S. Coast Guard and other security related organizations. Charged with securing the Nation's borders, its stated mission is:

We will lead the unified national effort to secure America. We will prevent and deter terrorist attacks and protect against and respond to threats and hazards to the Nation. We will secure our national borders while welcoming lawful immigrants, visitors, and trade.<sup>153</sup>

The second major stakeholder, The Department of Justice, is the coordinating agency in charge of heavy hitting agencies like the Federal Bureau of Investigations (FBI), the Drug Enforcement Agency (DEA), and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), among others. Its primary mission is:

To enforce the law and defend the interests of the United States according to the law; to ensure public safety against threats foreign and domestic; to provide federal leadership in preventing and controlling crime; to seek just punishment for those guilty of unlawful behavior; and to ensure fair and impartial administration of justice for all Americans.<sup>154</sup>

The ONDCP while not an executing agency is charged with establishing the policies of the Nation's drug control program, with goals to reduce drug use, trafficking and related crime and violence in its National Drug Control Strategy.<sup>155</sup> By law, the ONDCP states the roles and responsibilities of relevant National Drug Control Program and is responsible for implementing

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<sup>153</sup> U.S. Department of Homeland Security, *U.S. Department of Homeland Security Strategic Plan Fiscal Years 2008-2013* (Washington D.C.: U.S. Department of Homeland Security, 2008), 3.

<sup>154</sup> U.S. Department of Justice "About DOJ" U.S. Department of Justice, <http://www.justice.gov/02organizations/about.html> (accessed August 30, 2010).

<sup>155</sup> Office of National Drug Control Policy "About" Office Of National Drug Control Policy, <http://www.whitehousedrugpolicy.gov/about/index.html> (accessed August 30, 2010).

that strategy.<sup>156</sup> Primarily accomplished through budgeting, this is done in coordination with the DHS and DOJ.

Three major strategies are the National Southwest Counternarcotics Strategy, the Secure Border Initiative (SBI), and direct support to Mexico in the form of the Merida Initiative to focus U.S. regional efforts. These efforts, carried out through the actions of DHS, DOJ, funding and vision of the ONDCP, are to focus on the reduction of drugs, money and weapons across the border, target DTOs, and assist in the institution and capability building of Mexican counternarcotics efforts.

The National Southwest Border Counternarcotics Strategy, perhaps the most ambitious those, lists its latest Strategic Goal as, “Substantially reducing the flow of illicit drugs, drug proceeds, and associated instruments of violence across the Southwest Border.”<sup>157</sup> Focusing on prevention, interdiction and prosecution, it seeks to accomplish this through enhanced intelligence capabilities, interdiction at and between ports of entry, prosecution of violators, disruption or dismantlement of DTOs, enhanced detection technologies, and enhanced bilateral cooperation between the U.S. and Mexico.<sup>158</sup> While these objectives pervade nearly all facets of border security, it is important to point out that the ONDCP has no subordinate action agencies and achieves its objectives through its control of congressional counterdrug funding.<sup>159</sup>

While dismantling the organizations that fuel the violence is paramount, one cannot deny the gaps their activity has exposed (or called attention to) in regards to our physical security at the border. In an attempt to augment physical control along the border, the Secure Border Initiative (SBI) was launched in 2005.

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<sup>156</sup> R. Gil Kerlikowske, *The National Southwest Border Counternarcotics Strategy: June 2009*, (Washington D.C.: Office of National Drug Control Policy, 2009), 3.

<sup>157</sup> Lake and Finklea, *Southwest Border Violence: Issues In Identifying and Measuring Spillover Violence*, 26.

<sup>158</sup> Kerlikowske, *The National Southwest Border Counternarcotics Strategy: June 2009*, 2.

<sup>159</sup> *Ibid.*, 2-4.

While the U.S.-Mexican's porousness seems endemic today, there have been several short-term successes in securing the border, including Operation Hold the Line based out of El Paso, and Operation Gatekeeper in San Diego.<sup>160</sup> Both plans incorporated an increased number of Border Patrol Agents placed in high visibility positions where they were visible to themselves and potential crossers.<sup>161</sup> The deterrent factor of these operations proved effective, with Hold the Line seeing a 70% drop in apprehensions, from 800 down to 150 per day.<sup>162</sup>

Continuing in the vein of Hold the Line and Gatekeeper, the Secure Border Initiative is a comprehensive multi-year plan mixing manpower, technology and infrastructure to both secure the border and reduce the number of illegal aliens. Elements of SBI can be grouped into four categories, increased manning, better enforcement of immigration laws, increased use of technology, and improved infrastructure.<sup>163</sup> Much like Hold the Line and Gatekeeper, the SBI increased the number of agents who patrol our borders today to over 20,000.<sup>164</sup> These agents not

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<sup>160</sup> Operation Hold the Line was initiated by the Border Patrol Chief of the El Paso Sector in September, 1993 with a "highly visible" show of force of 400 border agents along the El Paso Border Sector. Within one week apprehensions of illegal aliens dropped from 850 per day to 150 per day in what was at the time the second busiest apprehension sector. Seeing the positive results, then California Governor Pete Wilson called for expanding the strategy along the entire border, and implementing a similar operation in San Diego, Which came to be known as Operation Gatekeeper. Joseph Nevins, *Operation Gatekeeper* (New York: Routledge, 2002), 90.

<sup>161</sup> McGaul, *A Line in the Sand: Confronting the Threat at the Southwest Border*, 34.

<sup>162</sup> Nevins, *Operation Gatekeeper: The Rise of the Illegal Alien and the Making of the U.S.-Mexico Boundary*, 90.

<sup>163</sup> McGaul, *A Line in the Sand: Confronting the Threat at the Southwest Border*, 35. Recent passage and enforcement of a new law in Arizona giving police broader powers to pursue illegal aliens has shown a significant decrease in the number of illegal immigrants in just a 5 month period. Associated Press, "Study: 100,000 Hispanics Left Arizona After Sb1070," Fox News, November 12, 2010. <http://www.foxnews.com/politics/2010/11/12/study-hispanics-left-arizona-sb/> (accessed November 12, 2010).

<sup>164</sup> Department of Homeland Security, "Fact Sheet: Southwest Border Next Steps," Department of Homeland Security, [http://www.dhs.gov/ynews/releases/pr\\_1277310093825.shtm](http://www.dhs.gov/ynews/releases/pr_1277310093825.shtm) (accessed August 30, 2010).

only allow a wider coverage of the border, but allow more personnel screening at the ports of entry, greater intelligence capability and increased liaison officers that can integrate operations.<sup>165</sup>

Further augmenting the reach of the increased manning generated by the SBI is the Secure Border Initiative Network (SBInet). SBInet is “A multibillion program that includes the acquisition, development, integration, deployment, and operation of surveillance technologies such as unattended ground sensors and radar and cameras mounted on fixed and mobile towers to create a virtual border fence.”<sup>166</sup> Allowing technology to provide electronic awareness facilitates both the economy of force between the ports of entry, and theoretically a subsequent response when crossings are detected. While SBInet has not always worked as advertised, technology does take time to mature, and investment and employment has and will continue to increase the operational reach of border security efforts.

The increase of infrastructure along the border complements the increased manning and sensors, specifically an increase in the coverage of physical barriers along the border. While fencing and walls have been implemented successfully in numerous locations and iterations since the 1990s, the September 11<sup>th</sup> terror attacks sparked increased focus on physical border security. In response, Congress in conjunction with the initiatives of the SBI, mandated that no fewer than 700 miles of fence be constructed along the southwest border.<sup>167</sup> Though not foolproof, barriers will slow or shift routes of illegal traffic to known points where interdiction efforts can be managed with the available resources at hand.

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<sup>165</sup> U.S. Customs and Border Patrol, “Secure Border Initiative (SBI)” U.S. Customs and Border Patrol, [http://www.cbp.gov/xp/cgov/border\\_security/sbi/](http://www.cbp.gov/xp/cgov/border_security/sbi/) (accessed august 30, 2010).

<sup>166</sup> Randolph C. Hite, *Secure Border Initiative, DHS Needs To Follow Through on Plans to Reassess and Better Manage Key Technology Program* (Washington D.C.: Government Accountability Office, 2010), 2.

<sup>167</sup> Chad C. Haddal, Yule Kim, and Michael John Garcia, *Border Security: Barriers Along the U.S. International Border* (Washington D.C.: Congressional Research Service, 2009), 2.

While the first three categories of the SBI are aimed at physically stopping or deterring illegal crossings, the fourth major category focuses on the consequences of an illegal crossing. An undermanned judicial system in the past led to a policy of Catch and Release under which “most individuals apprehended for crossing were not detained, but instead provided with a notice to appear for adjudication of their immigration status and released into the general population pending a hearing.”<sup>168</sup> The SBI calls for greater enforcement of immigration laws and expanded detention and removal capabilities to eliminate practices like Catch and Release.<sup>169</sup> This was supported fiscally by 1.38 billion dollars earmarked in the Fiscal Year 2007 Homeland Security Appropriations Bill for 6,700 additional detention bed spaces.<sup>170</sup> This new consequence of detention is a deterrence factor in itself.

While clearly the SBI is not all inclusive in combating illegal crossings, it has proven to be successful as evidenced by the fact that according to the Department of Homeland Security:

Overall Border Patrol apprehensions of illegal aliens decreased from over 723,800 in fiscal year 2008 to over 556,000 in fiscal year 2009, a 23 percent reduction, indicating that fewer people are attempting to illegally cross the border. From 2004-2009, the number of Border Patrol apprehensions along the Southwest border has decreased by 53 percent.<sup>171</sup>

This reduction in apprehensions can be used as evidence that the deterrent aspects of the SBI are at the least a factor in reducing the number of illegal crossings and attempts per year.

While the National Southwest Border Counter Narcotics Strategy and the SBI have had some modicum of success, they do little to address the challenges faced by the Mexican government south of the border. The Merida Initiative, due to its capacity building nature, is perhaps the most important effort the U.S. government is undertaking to improve conditions

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<sup>168</sup> McGaul, *A Line in the Sand: Confronting the Threat at the Southwest Border*, 36.

<sup>169</sup> *Ibid.*, 35.

<sup>170</sup> *Ibid.*, 37.

<sup>171</sup> Department of Homeland Security, “Fact Sheet: Southwest Border Next Steps.”

along the border. A multi -year, \$1.4 billion counter drug and anticrime assistance program to Mexico and Central America.<sup>172</sup> It is viewed by both Mexico and the U.S. as a foundation for long-term partnership. The Merida Initiative increases aid to Mexico from \$55 -60 million to \$400 million annually. The initiative was designed to increase Mexican law enforcement capabilities over three annual phases and complement President Calderon's War on Drugs. Phases of implementation will be prioritized in nature; starting with Counternarcotics, Counterterrorism and Border Security, followed by Public Security and Law Enforcement, and Institution Building and the Rule of Law.<sup>173</sup> Aid will come in the form of equipment and training to both Mexican law enforcement and military. Equipment purchases include aircraft, computer and communication systems, and detection equipment, which will enable the Mexican security forces to more effectively use their forces with increased responsiveness. This increased capability will also lend to the application of its more highly trained forces against the tactics and methods of the Zetas and other paramilitary style DTO elements. While the increased resources of Merida will have a gradual impact, ultimately reducing pressure on U.S. law enforcement, the true value of Merida is in its lasting returns. With the increased capabilities, the Mexican security apparatus, coupled with an improved justice system, will be able to target the DTOs and other criminal organizations, reducing their power, increasing government control, and reinstating the rule of law.

While the prior three efforts are far reaching, they are supported by numerous other efforts, targeting not just narcotics, but other aspects of border security. Specifically for the purpose of this monograph we will look at combating potential violence, arms trafficking and the physical security of the border. With arms trafficking a critical enabler for DTOs, stopping the flow of

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<sup>172</sup> Lake and Finklea, *Southwest Border Violence: Issues In Identifying and Measuring Spillover Violence*, 36.

<sup>173</sup> Brands, *Mexico's Narco-Insurgency and U.S. Counterdrug Policy*, 21-23.

arms has become a major concern for Mexico, and a priority for U.S. officials. Project Gunrunner, a high profile ATF led effort, launched in 2006 to disrupt the flow of firearms from the U.S. to Mexico. Its primary focus is to disrupt and dismantle organizations responsible for the international movement of weapons along the border and throughout the U.S.<sup>174</sup> Also, Project Gunrunner has made available to Mexican officials access to the eTrace system, which traces confiscated firearms to their source. While investigations do uncover gun dealers, sellers and in some cases the intermediary buyers fueling Straw Purchases, Gunrunner is primarily reactive in nature.

While Gunrunner can trace individuals after the fact, perhaps the greater value to combating arms trafficking is the inspection of southbound traffic. The National Southwest Border Counter Narcotics Strategy has in its latest edition, included a chapter on combating arms trafficking.<sup>175</sup> While it does provide initiatives, it did not assign methods of implementation, or performance measures.<sup>176</sup> Parallel or perhaps in conjunction with these initiatives, DHS reports it has begun screening 100 percent of all southbound rail shipments, installed non intrusive inspection technology and added additional canine teams to inspect a greater number of southbound vehicles for weapons and narcotics.<sup>177</sup>

Recent assessments of Gunrunner by the Department of Justice have been critical. Criticisms include a lack of information sharing by the ATF with other organizations and a questioning of the focus of the efforts. The report called into question the agencies targeting of straw purchasers, suggesting it should target instead the recipients of the firearms. The report was

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<sup>174</sup> Kerlikowske, *The National Southwest Border Counternarcotics Strategy: June 2009*, 34.

<sup>175</sup> Ford, *Firearms Trafficking , U.S. Efforts to Combat Arms Trafficking to Mexico Face Planning and Coordination Challenges*, Testimony.

<sup>176</sup> Ford, *Firearms Trafficking , U.S. Efforts to Combat Arms Trafficking to Mexico Face Planning and Coordination Challenges*, 6.

<sup>177</sup> Department of Homeland Security, "Fact Sheet: Southwest Border Next Steps."



positive in its citing of the increase in prosecution referrals and gun dealer compliance in border states.<sup>178</sup>

As mentioned earlier, there are dozens of other initiatives and related task forces. One of the most effective collaborations in use today along the border are the Border Enforcement Security Task Forces or BEST. With Immigration and Customs Enforcement in the lead, BEST task forces seek to disrupt and dismantle criminal organizations posing threats along the border. Regular participation comes from the CPB, the DEA, the ATF, FBI, and state and local law enforcement. Serving as force multipliers, the task forces increase information sharing and collaboration. The expertise of the federal agencies coupled with the manpower and dispersion of local law enforcement, make BEST task forces highly effective. With 21 teams established throughout the U.S., BEST investigators have initiated over 6,400 cases since July 2005 resulting in 12,400 arrests, seizure of 300,000 pounds of marijuana, 12,000 pounds of cocaine, 3,400 weapons and over 42.5 million dollars.<sup>179</sup>

Supplementing the BEST team concept of integrating local, tribal, state and federal forces is Operation Stonegarden. A federal assistance program designated local law enforcement for borderland counties. Stonegarden provides federal funding for overtime pay and deployment of state and local personnel to further increase the presence on the border.<sup>180</sup>

While this multi agency approach is at times inefficient and reactive rather than proactive, a proper mix balancing manpower and technology has shown it can reduce illegal crossings and subsequent related violence. It is also important to keep in consideration the time required for

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<sup>178</sup> Tim Gaynor, "Report Slams U.S. Effort To Curb Mexico Gun Trade," Reuters.com, <http://www.reuters.com/article/idUSTRE6A84LB20101109> (accessed November 10, 2010).

<sup>179</sup> "Border Enforcement Security Task Force." Ice.gov. <http://www.ice.gov/best/> (accessed October 5, 2010).

<sup>180</sup> "Operation Stonegarden Fact Sheet," National Immigration Forum, <http://www.immigrationforum.org/images/uploads/2010/OperationStonegardenFactSheet.pdf> (accessed November 5, 2010).

effective results. While initiatives may in some instances see immediate results, most institutions, initiatives and collaborations will require a maturation process. It is the mature effort that will achieve the lasting effects and conditions, rather than a rushed stopgap effort. That said, this multi agency approach can be enhanced and the process hastened provided increased integration and central leadership, provided it is adequately supported through continued funding, resourcing and supportive legislation.

## Conclusions

It is difficult to imagine any reduction in the present interconnectivity of the U.S.-Mexican borderland. It is an area that is essential for the economic well being of both nations. It is likely that there will be increased integration in the future. However, it is important for the process to continue in a legal manner that will benefit the lives of the individual laborers and affect positive lasting change and prosperity in the region. In order for the integration to be positive, the governments of the United States and Mexico must deal with the DTOs and their associated activities. The DTO's methods of gaining relative control through violence and intimidation are generating a rising culture of fear. This culture of fear delegitimizes government efforts and impedes the desired state of both the U.S. and Mexico. While this delegitimization demands a response, any approach taken by either government to combat this must be able to combat the DTOs, but take care not to impede legitimate trade, commercial employment, and social interaction.

The violence and related issues of the Southwest Border region require attention on the part of both Mexico and the United States. The fear of residents for their security is understandable and deserves a response. The military, with its adaptive nature and can do attitude, could provide that response. A massing of troops could significantly reduce the flow of illegal traffic and subsequent violence across our southwest border. But at what cost?

One must consider the manpower costs and its effects on the defense department's ability to fight and win wars. Estimates from the Wilson administration estimated that regional pacification would require 557,280 men over a three year period. This represents nearly three times more than the U.S. force strength in Iraq at its peak.<sup>181</sup> Although technology and mobility

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<sup>181</sup> Mulcahey, "The Overlooked Success: A reconsideration of the U.S. Military Interventions in Mexico During the Wilson Presidency," 70.

have somewhat mitigated the numbers required, Department of Defense estimates from 1988 for sealing the border called for 90 infantry battalions and 50,000 ground support personnel and equipment.<sup>182</sup> This estimate would mean deploying over 100,000 ground personnel alone. One should also keep in mind former U.S. Army Chief of Staff Eric Shinseki's belief that Iraq, a country of 24 million, would require several hundred thousand Soldiers to occupy effectively.<sup>183</sup> By way of comparison, the northernmost Mexican states which border on the U.S. (Baja California Norte, Sonora, Chihuahua, Coahuila, Nuevo Leon, and Tamaulipas) have a population of approximately 18 million.<sup>184</sup> Thus, a figure roughly comparable to occupy a buffer zone in extremes could be contemplated. While technology and mobility can lower these numbers, the troop strength required remains substantial, and detracts from the military's ability to wage war in the traditional sense.<sup>185</sup>

Regardless of the level of militarization, the desired results could only be secured as long as their presence was maintained. It would not change the root conditions that would initiate their original employment, and could exacerbate the conditions in Mexico, as DTOs adapt to circumvent the increased presence. While militarization could potentially close the border, it could not do so without impacting legitimate trade and potential remittances. Without this revenue, impoverished Mexican civilians are more likely to tolerate and potentially collude with DTOs, acting as a latter day narco Robin Hood, further marginalizing legitimate governance.

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The highest U.S. troop strength in Iraq was 187,000 in Fiscal Year 2008. Andy Belasco, *Troop Levels in the Afghan and Iraq Wars, FY2001-FY2012: Cost and Other Potential Issues* (Washington D.C.: Congressional Research Service, 2009), summary.

<sup>182</sup> Longo, "Military in Drug War: Tempers Rise During Face Off Over Initiatives."

<sup>183</sup> Alyssa Fetini, "Obama's White House," *TIME*, December 2, 2008  
[http://www.time.com/time/specials/packages/article/0,28804,1863062\\_1863058\\_1865215,00.html](http://www.time.com/time/specials/packages/article/0,28804,1863062_1863058_1865215,00.html)  
 (accessed November 10, 2010).

<sup>184</sup> "Mexico's Cities, States and Population Information," MexOnline.com,  
<http://www.mexonline.com/estado.htm> (accessed November 15, 2010).

<sup>185</sup> This is in no way to suggest that such a course of action is being contemplated.

The criminality of the DTOs and the economic conditions that facilitate their support render militarization a less than optimal option. Rather a multi-faceted policy involving domestic and multinational approaches are a better option. This approach must target both the DTOs and the conditions that facilitate their existence. The two key avenues of approach should be to improve economic conditions for the impoverished while reducing the freedoms of movement and sanctuary which the DTOs currently enjoy.

The U.S. domestic approach should consist of increased apprehension efforts, supported by judicial action and incarceration to act as a deterrent, increasing the “Cost” of illegal crossings of personnel and goods. This approach will, if applied correctly, balance barriers, technology and manpower along the lines of the Secure Border Initiative to reduce the flow of illegal traffic to manageable levels. This coupled with aggressive law enforcement targeted at DTO activity will disrupt ongoing activities, while simultaneously restricting their lines of supply from Mexico. The Southwest Border Security Bill passed in the summer of 2010 and signed into law by President Barack Obama, provides an additional 600 million dollars in supplemental funds to indicate that our law and policy makers concur that this approach is both viable and feasible.<sup>186</sup>

Combined U.S.-Mexican efforts also need to be expanded. While information sharing and coordination between the two nations has increased, the effectiveness afforded through combined operations and info sharing cannot be understated. Only with coordinated efforts on both sides of the border can DTO freedom of movement be eliminated.

Most importantly, any domestic efforts must be enhanced by parallel Mexican efforts. As the U.S. increases its capacity and border security, Mexico must increase its law enforcement capacity and economic support for border areas. The increased capacity the Merida Initiative provides will allow greater effects and more effective operations targeting DTOs. Law

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<sup>186</sup> President Barack Obama, “Statement By the President On the Passage Of the Southwest Border Security Bill,” The White House <http://www.whitehouse.gov/the-press-office/2010/08/12/statement-president-passage-southwest-border-security-bill> (accessed November 5, 2010).

enforcement successes attributed to Merida Initiatives should be reinforced with increased support. Only increased security and control will facilitate government efforts to implement economic measures that will enhance the lives and prosperity of affected regions.

While the Merida Initiative has increased capacity of both the U.S. and Mexican border security apparatus' to target and impact DTO activity, it will ultimately fail unless supported by economic development. Until there are social services and economic opportunities provided, narcotics and illegal immigration will continue to be the default source of revenue for impoverished people.

It must be highlighted again that regardless of the specifics of any measures taken time is an important factor. The willingness of the current Mexican administration to take on corruption is encouraging and should be reinforced. Faced not only with the challenge of dismantling the DTOs, the Mexican government must affect social change as well. Regardless of resources allocated, rooting out institutionalized corruption in the Mexican government and providing legitimate economic alternatives will take longer than a three-year initiative.

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